

# City of Eugene Human Rights Commission



*The mission of the Human Rights Commission is to promote implementation of universal human rights values and principles in all City of Eugene programs and throughout the wider community.*

*To carry out this mission the commission shall affirm, encourage and initiate programs and services within the City of Eugene and in the wider community designed to place priority upon protecting, respecting, and fulfilling the full range of universal human rights as enumerated in the Universal Declaration of Human Rights. To support and promote human rights, the commission will: provide human rights education, be proactive in human rights efforts, address human rights violations, ensure active public participation, be transparent and open, and be publicly accountable for human rights progress.*

**Human Rights Commissioners:** Andrew Thomson Chair, Chris Nunes Vice Chair, Richie Weinman, Ken Neubeck, David Van Der Hagen, Edward Goehring, Mary Clayton, Philip Carrasco, Arun Toke, Debra Merskin, Greg Evans members.

**Equity and Human Rights Office staff:** Michael Kinnison, Lorna Flormoe

*The Human Rights Commission typically meets on the third Tuesday of each month.*

**Tuesday, April 15, 2014**

5:30 – 7:30 PM Meeting

Atrium Building, Sloat Room, 99 W. 10<sup>th</sup> Avenue, Eugene

Contact: Lorna Flormoe, (541) 682-5670, [lorna.r.flormoe@ci.eugene.or.us](mailto:lorna.r.flormoe@ci.eugene.or.us)

## **ITEM**

## **TIME ON TASK** (Starting)

- |   |      |         |           |
|---|------|---------|-----------|
| 1. Welcome from Chair, Agenda/Minutes Review  | VOTE | 5 min.  | (5:30 pm) |
| 2. Public Comment   |      | 10 min. | (5:35 pm) |
| 3. Support Requests   | VOTE | 15 min. | (5:45 pm) |
| Families Forward Oregon (support for Paid Sick Leave Ordinance)                       |      |         |           |
| I Learn America (funding request)   |      |         |           |
| 4. Councilor Liaison Report   |      | 10 min. | (6:00 pm) |
| 5. Increasing Collaboration   |      | 15 min. | (6:10 pm) |
| Juan Carlos Valle, President, League of United Latin American Citizens of Lane County |      |         |           |
| 6. Hate and Bias Report   |      | 15 min. | (6:25 pm) |
| Equity & Human Rights Mgr. Mike Kinnison and Police Lt. Jennifer Bills                |      |         |           |
| 7. Work plan Progress Review  |      | 15 min. | (6:40 pm) |

- |  |         |           |
|--|---------|-----------|
| 8. Appointment of HRC candidate review committee   | 5 min.  | (6:55 pm) |
| 9. Staff Update  | 5 min.  | (7:00 pm) |
| Better Eugene-Springfield Transit (BEST), City budget approval process, Eq&HR office changes, NUSA                                       |         |           |
| 10. Open Discussion (Announcements; Liaison Reports - MUPTE subcommittee, Homelessness Workgroup; Emerging Issues; Future Agenda Topics) | 25 min. | (7:05 pm) |

Upcoming Events, activities or meetings the HRC needs to be aware of:

- Transportation Scenario Planning Workshop: April 22, 4 – 7 pm, public library
- Take Back the Night: April 24, 4:00 pm-11:00 pm, University of Oregon
- IN Conference, May 17
- Neighborhoods USA Conference, May 21-24
- LULAC Regional Women's Summit: June 7, Vancouver, WA

*The Eugene Human Rights Commission welcomes your interest in these agenda items. This meeting location is wheelchair accessible. For the hearing impaired, FM-assistive listening devices are available or an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact staff at (541) 682-5177.*

*La Comisión de Derechos Humanos agradece su interés por participar en los asuntos de esta agenda. El local de la reunión tiene acceso para personas en silla de ruedas. Para las personas con dificultades auditivas ofrecemos sistemas FM para ayudarlo a escuchar, o intérpretes de lenguaje de señas. También ofrecemos intérpretes de español. Si necesita cualquiera de estos servicios por favor solicítelos con 48 horas de anticipación, llamando al (541) 682-5177.*

## MINUTES

Eugene Human Rights Commission  
Equity and Human Rights Office – 99 West 10<sup>th</sup> Avenue  
Eugene, Oregon

March 18, 2014  
5:30 p.m.

PRESENT: Andrew Thomson, Ken Neubeck, Philip Carrasco, Chris Nunes, David Van Der Haeghen, Debra Merskin, Arun Toke, Mary Clayton, Councilor Greg Evans commissioners; Lindsey Foltz, Michael Kinnison, staff

ABSENT: Richie Weinman, Edward Goehring,

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1. **Welcome from Chair/Agenda Review and Adjustment** – Commenced at 5:30 pm

Andrew Thomson moves to approve agenda, Debra Merskin seconds unanimous.

Ken Neubeck moves to approve the minutes as submitted, Mary Clayton seconds, unanimous.

2. **Public Comment**

Jennifer Frenzer – speaking in support of funding request for homelessness forum being presented by the Homeless Working Group of the HRC in collaboration with local homeless advocates. Ken Neubeck will present the Human Rights Framework and housing as a human right.

Brie Aikins, Elizabeth Bennett – SASS representatives speaking in support of funding request for the Vagina Monologues, the money requested would pay for ASL interpretation at two of the three performances.

David Hazen

Seeking HRC member participation in planning process. Also seeking funding for Eleanor Roosevelt impersonation. The main event will be at the Whitteaker School with indoor and outdoor space available. Planning "Peace Week" from the 14-21 of September.

### **3. Funding Requests**

International Day of Peace

Andrew Thomson moves to moves to support the event as requested, Debra Merskin seconds, unanimous. \$200 funding.

Arun Toke volunteers to be involved, Mary Clayton volunteers to be involved

Sexual Assault Support Services

Debra Merskin moves to support as requested, Mary Clayton seconds, unanimous. \$150 funding.

Take Back the Night Tabling Request

Homelessness Forum

Mary Clayton moves to fund as requested, Chris Nunes seconds, unanimous. \$200 funding.

Take Back the Night

Mary Clayton, Ken Neubeck, volunteer to attend. Staff to submit tabling form.

Andrew Thomson moves to approve tabling, Mary Clayton seconds, unanimous.

### **4. Council Liaison Report**

Budget, Human Rights cuts came out of vacant positions. Human Services Funding was a broader discussion. If the HSC doesn't have money on the front end then it makes it hard for them to meet their grant matches. So the HSC funding has been made whole as a recommendation by the Budget Committee. The Budget Committee passed the budget, now it goes to Council. Councilor Evans is advocating for emergency shelter to be considered in the current budget. He believes the HSC is the appropriate place to focus these efforts, the City is not a direct service providers. The City of Eugene does not stipulate how the money it contributes to the HSC is spent.

We'll be talking about scenario planning at the HRC meeting tonight. I worked on this on the LTD board. Scenario planning is already happening in the Portland Metro area. Councilor Zelenka and others have advocated for this process in Eugene.

Proposal concerning paid sick leave for workers in Eugene. National League of Cities conference provided interesting discussion from other cities. Businesses are communicating with him expressing their concern that if it is Eugene it will be a problem for workers outside the jurisdiction.

Whoville closure date, why April 15? We have to find a different solution, knew there were not votes to keep the site open at current location, wanted a way to create a sense of urgency for other solutions. Between now and then parties need to sit down at the table in a collaborative.

Ken Neubeck moves to add 10 minutes, Debra Merskin seconds, unanimous.

Ken Neubeck expresses concerns that ground level operatives be included in the collaborative conversation. Human Rights Framework stipulates that those who are most affected should be involved in the definition of the problem and part of the solution. There are folks who are out there who are gathering support to keep rest stops open and other important activism.

Staff will be assigned and so upper level management are insulated from direct contact with those working most directly on the ground. Another missing player is the County, that is the entity that has dedicated funding for social services. We as a City do not have the resources to fix these huge issues. Our job is to get collaborative players to the table to take on the big issues.

**5. Greenhouse Gas Reduction Planning and Social Equity**  
Steve Nystrom – Planning and Development

2009 Oregon Legislature passed SB 2001 required Central Lane MPO to undertake scenario planning to reduce GHG emissions associated with light vehicles. We are tasked with looking at “plausible futures” with land use and transportation planning to reduce greenhouse gas emissions. Changes could range from pricing for vehicle use, type and density of housing, bike and pedestrian planning, marketing and employer efforts. Ultimately the region is required to do the planning exercise but not required to implement the plan.

Region agreed to look at some other community values such as equity, public health and economic vitality. How do these various land use and transportation planning choices do to affect populations either negatively or positively. It could impact lower cost housing availability, or affordability or accessibility of transit options in the community. Some of these changes could add cost of burden to certain segments of the populations.

As we do public outreach we anticipate environmental inputs to be well represented, we are concerned about not having enough voice concerning equity. The HRC can provide an important lens to these issues.

We are holding a workshop of April 22, the HRC will get notice of that. The workshop will be a hands-on experience and the chance to interact in an early way in the process.

Questions:

Can LTD increase frequency, particularly on routes with only once hourly service?  
Can LTD implement a three tier system of rates as opposed to flat fee system?

HRC Members interested in further participation:

Mary Clayton

Phil Carrasco

Arun Toke

## **6. NAACP**

Eric Richardson – president of Eugene/Springfield NAACP

Local chapter is very education and youth oriented. We do have an ongoing achievement gap issue both local and nationally.

At the same time, Eugene does have positive growth for some of our kids. Family composition and income level play heavily in opportunities.

Eugene is very racially and culturally mixed and many youth are in mixed families. It's a challenge helping feel comfortable in the NAACP if they are not black or don't feel like the NAACP is for them, his goal is to help make the organization more comfortable for all people. Trying to collaborate with Latino organizations and recognize common issues and heritage.

I've been reading "Breaking Chains" book on slavery in Oregon, when Oregon was created and until the 1940's there was a concerted effort to keep Oregon white and Christian and that this ethos still lives on in our narrative, paradigm and institutions.

The work is one of breaking down barriers and allowing people to investigate and take on new ideas from cultures that are not our own.

Local branch founded in 1976. Portland has the numbers, but Eugene has been on the map in terms of effectiveness. There are a couple of grants in collaboration with the school districts and Lane ESD to increase reach of educational programs particularly for rural youth. Trying to also expand to Latino youth. We are trying to make it open for people to come and join us.

Interested in pursuing a re-start of the county level Human Rights Commission. I'm trying to organize some forums to discuss issues such as diversity in recruitment and retention and homelessness.

Lauren Regan is working with them to consider issues of religion and public accommodation.

Also interested in school curriculum, they have had their culture ignored and not respected in curriculum. We should teach our kids about world history and culture, which is important for black kids but also for all kids.

White supremacists are active in our community, there have been two instances this year where the message that is being presented is that diversity is equivalent to white genocide. That means to me that there is fear, and we need to speak to the fear (not over of around it). I believe that there are good white people who are dealing with the fear of the reality of demographic change. There are black people who are dealing with the trauma of slavery. These are uncomfortable topics to talk about, but these issues will continue to be obstacles in our community progress unless we have these conversations.

## **7. Commissioner Reports**

IN

Phil Carrasco presents May 17 conference, “Together We Can”, one important thing that came up at the IN meeting was a subcontractor that has been working on Capstone bringing in workers from AZ, NM, and other states and paying them below acceptable wages. Doesn’t legally land on the City of Eugene, but I’m trying to look at how the HRC can help promote proactive policies.

The HRC can consider writing to council, the Mayor and the City manager requesting investigation and consider pulling the MUPTE.

The HRC could create a subcommittee to deal with the policy issue of MUPTE for the future.

Phil Carrasco moves to establish a subcommittee to explore the writing of policy concerning MUPTE’s and enforcing compliance with a social equity lens, Chris Nunes seconds, unanimous.

Chris Nunes, Phil Carrasco, Debra Merskin, volunteer to participate. The subcommittee will draft a letter and submit it to the chairs for submission to Council, Mayor and the City Manager.

Homelessness

Ken Neubeck reports that the group has been actively meeting to discuss a forum, communicating with council regarding Whoville (letter from Chairs read to council at their last meeting). Organizing forum for April, it is a great opportunity to partner with community agencies to do more than the HRC can do on its own. Legal Observers training might be of interest so the HRC can provide eyes on events that might be contentious, with the Whoville closures there is anticipation of arrests. I

would like to propose the HRC become more trained to fill that role. UO has a neutral observer program (Annie Bentz), CLDC offers training, EPD has participated to help with Police 101 to understand tactics. There is general interest.

#### CRB

Mary Clayton

One case reviewed regarding State Trooper ejected from Autzen Stadium. The investigation seemed broad the trooper refused to be interviewed which was unfortunate. The Chair of the CRB would like to come to an HRC meeting. They are interested in building a more robust relationship.

#### HIV Alliance Health Fair

Ken Neubeck and Edward Goehring volunteered, the event was very successful. Good turnout. There were really good questions from the audience directed to the expert panelists.

#### ACLU

Andrew Thomson reports the ACLU became aware of enforcement bias regarding marijuana enforcement between black and white populations. As the planning for that work develops I will keep the HRC in the loop.

Police Commission – Edward Goehring sent email with an update

### **8. Staff Update**

2013 Hate and Bias Report will be released on Friday

Local NUSA registration will open next week, local registration is at a discounted rate to encourage local participation. The Caring and Safe Communities track might be of particular interest to the HRC and has commissioner and partner participation in the content.

Work Plan Progress Report

### **9. Work Plan Progress Commissioner Discussion**

Tabled until next meeting.

### **10. Closing/Agenda Planning Adjourned at 7:45 pm**



**From:** [Laurie Trieger](#)  
**To:** [EVANS Greg \(SMTP\)](#); [clayton.hrc@gmail.com](#); [pcarrasco.hrc@gmail.com](#); [thomson.HRC@hotmail.com](#); [dmerskin@uregon.edu](#); [editor@skippingstones.org](#); [dmvanderh@yahoo.com](#); [NEUBECK Ken \(SMTP\)](#); [chris.nunes.hrc@gmail.com](#); [Rweinman.HRC@gmail.com](#); [edward.goehring@gmail.com](#); [FLORMOE Lorna R](#)  
**Subject:** Request for HRC support  
**Date:** Wednesday, April 02, 2014 5:00:45 PM  
**Attachments:** [Eugene Earned Sick Days InformationOnePager.pdf](#)  
[Paid Sick Days - Equity Analysis for Eugene Campaign.pdf](#)

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Dear Eugene Human Rights Commissioners,

We all get sick, but not all of us have time to recover. **More than 25,000 private-sector workers, and a shocking 78% of low-wage workers, in Eugene don't earn paid sick days while they work – not a single one.**

For too many of our neighbors taking a child to the doctor or staying home with the flu means losing pay - or even their job. Just a few paid sick days a year can provide working families a much needed measure of economic security, especially in these tough economic times. No one should have to choose between their job and their family's health.

Further, employees who can't earn sick days are heavily concentrated in jobs that require a high level of interaction with the public — the people who serve and prepare our food, look after our children and care for the elderly. When those workers feel compelled to come to work sick, it's not just their own health that's at risk — it affects all of us.

**Providing all workers access to paid sick time at once addresses the dual goals of improving public health and promoting greater equity in the City of Eugene.**

Currently, far too many Eugenians are reporting to work sick because of the practical consequences that accompany a missed work day; whether it be a lost day's pay or loss of employment altogether. This is especially true with regard to low-wage workers, a group that is disproportionately comprised of people of color and women, particularly single mothers.

**We respectfully request formal support from the Human Rights Commission for a paid sick days ordinance for all Eugene workers.** I have attached some basic information about the issue generally, and equity in access to earned paid sick days, in particular.

Please let me know if you need any other information or would like a presentation in front of the Commission. Thank you for your careful consideration of this matter.

Best Wishes,

*Laurie*

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Laurie Trieger  
Cell phone 541-868-7924  
Email [laurie@familyforwardoregon.org](mailto:laurie@familyforwardoregon.org)  
Web <http://www.familyforwardoregon.org/>  
Web <http://everybodybenefitseugene.org/>

# Everybody Benefits | Paid Sick Days for Eugene

## WHY SHOULD ALL WORKERS IN EUGENE EARN SICK DAYS?

Because we all get sick, but not all of us have time to recover – and it affects all of us. **A shocking 51% of private-sector workers and 78% of low-wage workers in Eugene don't earn paid sick days while they work – not a single one.** The **good news** is there's a **simple solution**: allow workers to earn paid sick time while they work. When they do, everybody benefits. Here's how:

### 1. Earned sick days will promote the economic security of Eugene families.

For too many families in Eugene, taking a child to the doctor or staying home with the flu means losing pay - or even your job. Just a few paid sick days a year can provide working families a much-needed measure of economic security, especially in these tough economic times. No one should have to choose between their job and their family's health.

### 2. Earned sick days are smart for Eugene business.

By allowing employees to earn paid sick time, employers increase productivity and save money in the long run. Employees who come to work sick are less productive and recover more slowly. They're also likely to spread illness to co-workers, which reduces productivity and increases absenteeism. Earned sick days also help retain good employees and keep turnover costs low.



### 3. Earned sick days are good for Eugene's local economy.

Eugene's economy does better when our employers and workers do well. Employers do better with a healthy, productive workforce with low turnover and strong loyalty – which are all linked to paid sick days. And when workers keep needed income in their pockets (by not losing income when they're sick), they spend more to boost the local economy.

### 4. Earned sick days will improve public health in Eugene.

Workers who can't earn sick days are heavily concentrated in jobs that require a high level of interaction with the public — the people who serve and prepare our food, look after our children and care for the elderly. When those workers feel compelled to come to work sick, it's not just their health that's at risk — it's all of us.

IT'S CLEAR: **EVERYBODY BENEFITS** WHEN WORKERS EARN PAID SICK DAYS.

**LEARN MORE & GET INVOLVED:** [lili@familyforwardoregon.org](mailto:lili@familyforwardoregon.org)



## FUNDS REQUEST FORM

### EUGENE HUMAN RIGHTS COMMISSION

Any person or organization requesting Human Rights Commission funding must complete and sign this form. Please review the guidelines for community requests before filling out this application.

The City of Eugene allocates a small amount of money each fiscal year to the Human Rights Commission to consider for community event funding requests. The Human Rights Commission receives numerous requests each year for funding, but cannot fund them all due to budget limitations. This commission strives to carefully consider which events to support with funding.

You or a representative from your agency is **strongly encouraged** to give a 3-minute overview of this request (during public comment period) promptly at 5:30 p.m. at this month's Human Rights Commission meeting and be available to answer questions. Please be as thorough as possible when filling out the form.

**Please note that if funding is approved, the commission requires a follow-up report within one month of use. Recipients may submit a written report or may attend the next commission meeting to present a brief verbal report.**

Date of Funding Request: March 31, 2014

Date Funding Required: May 1, 2014

Name/Date of Event: May 1-2, 2014

Location of Event: First Christian Church - 1166 Oak St, Eugene, OR 97401

Brief description of Event: High school workshops on the topic of immigration culminating in a community conversation and film screening of the movie, I Learn

America. See film TRAILER at <https://vimeo.com/58731601>

### **NOTE: Time Line for Application**

Applications must be received no later than the first Monday of the month **prior** to the event. Organizations and/or individuals submit completed Application for Funds to:

Human Rights Program  
99 W. 10<sup>th</sup> Avenue, Suite 116  
Eugene, OR 97401  
Fax: (541) 682-05221

[ehrcenter@ci.eugene.or.us](mailto:ehrcenter@ci.eugene.or.us) **(Electronic submission instructions are at the bottom of this application)**

**The Human Rights Commission Mission Statement:  
The City of Eugene values the dignity of all human beings. We are committed to:**

- Ensuring that human rights are a central part of every City program;
- Respecting and reflecting cultural and individual diversity;
- Fostering mutual understanding; and
- Promoting inclusiveness, justice and equity.

**Note:** Please choose only **one** funding option: Funding or Co-Sponsorship or other amount.

**We are requesting:**

☐ **Endorsement:** The commission may endorse events that meet the guidelines. The purpose of these events must be aligned with the commission's mission and goals. The commission may endorse specific events whose values it supports but to which it does not contribute money. The commission's name may be used in advertising for these events. This application for endorsement must be submitted to the commission and authorization must be granted prior to use of its name.

☐ **Funding:** The commission may provide up to \$100 for events that meet the guidelines if commissioners are not actively involved. The purpose of these events must be aligned with the commission's mission and goals.

OR

☒ **Co-Sponsorship:** The commission typically provides up to \$200 (higher amounts may be considered for specific circumstances) for events meeting the guidelines and in which commissioners will be actively involved. Active involvement means that, at a minimum, the group planning the event works directly with a commissioner who serves as a formal liaison between the group and the commission and reports back to the commission regularly. If possible, a commissioner should participate in the planning process and the commission should have an information table at the event.

OR

☐ **Other Amount Requested:** \_\_\_\_\_

**\*\*Please provide detailed information about why request exceeds standard funding levels:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Name of person/organization presenting request for funds** Anil Oommen

**Address of person/organization presenting request for funds** 1621 Grant Street  
Eugene, Oregon 97402

**Primary contact person's name and phone number** Anil Oommen - 541.870.2430

**Description of organization, names of officers and/or board of directors**

I am an assistant professor at Pacific University - College of Education - Eugene Campus

Shelley Smolnisky - Campus Director - Eugene Campus

-  
Mark Ankeny - Dean of the College of Education - Pacific University

**What product or service is the City purchasing with these funds?**

\$200 workshop fee for 3 workshops with high school students from three school districts  
in the Eugene-Springfield area.

**How would this expenditure directly further the adopted work plan of the commission?**

It supports work to help eliminate discrimination.

**Specifically, how would the City organization benefit by spending this money?**

The Human Rights Commission benefits by drawing more people in Eugene-Springfield to collaborate in the HRC's mission and vision.

**Detailed budget description for funds requested (attach if necessary)**

\$200 workshop fee for Jean-Michel Dissard for leading 3 workshops with high school students over the course of two days. He will also lead a workshop for teachers.

**Other co-sponsors or funding sources and amounts received**

Springfield School District (\$1,000), NAACP (\$100), Stand for Children (\$60)

Pacific University Masters of Social Work program (\$200) & College of Education (\$1,000)

Is the event wheelchair accessible?..... Y ☒ N ☐

Will sign interpretation be available?..... Y ☐ N ☒

Will other language interpretation be available? (if requested)..... Y ☒ N ☐

Is the event's purpose to raise funds?..... Y ☐ N ☒

If funding request is approved, in what name should the check be issued and where should it be sent? First Name T. Anil Last Name Oommen

Street/Mailing Address: 1621 Grant Street

City Eugene State OR Zip Code 97402

**Note:** If this funding request is approved by the City of Eugene Human Rights Commission, the funds will be used to purchase the service or product described in this application and a written or verbal report will be provided to the commission within 30 days.

**Signature of person responsible for expenditure** \_\_\_\_\_



(For those without an electronic signature, by checking the box at the end of the signature line, you confirm and agree that the check mark you place in that box IS your signature.)

**Electronic Form Submission Instructions:** Fill out the form, save the electronic file and attach it to an e-mail to [EHRCenter@ci.eugene.or.us](mailto:EHRCenter@ci.eugene.or.us). Please type "HRC Funding Request" in the Subject Field of the e-mail. Forms can also be mailed back to our office via USPS (address is listed above.)



## 2013 Hate and Bias Report

### Introduction

In accordance with the City of Eugene's Hate and Bias Incident Response Plan<sup>1</sup> the Equity and Human Rights Office (EHRO) provides victim and community support for both bias crimes and non-criminal bias incidents, along with tracking and reporting of hate activity. Hate and bias activity are reported to the EHRO in a variety of ways, including victim or witness initiated contact, referral from community agencies, and referral from other City departments such as the Eugene Police Department (EPD).

Bias crimes can include all classes of crime motivated by bias or prejudice based on actual or perceived race, color, religion, national origin, sexual orientation, gender identity, or disability. In addition to statutory reporting of state and federally classified hate crimes, EPD also tracks bias-related crimes motivated by perceived or actual age, economic status, social status, citizenship, marital status, or political affiliation or beliefs, membership or activity in or on behalf of a labor organization or against a labor organization to monitor community relations.

This is the second annual report focusing on hate and bias incidents and response which has been compiled through partnership between the EHRO and EPD. The data collection methodology and format of reporting has been replicated from the 2012 report which serves as a baseline for evaluation of hate and bias activity.

This report covers January through December of 2013. In total there were 55 bias crimes and non-criminal incidents reported in 2013.

### Non- Criminal Bias Incidents

There are many behaviors and attitudes that, while not criminal, have a detrimental impact on our community. Often, the non-criminal incidents reported to the Equity and Human Rights Office fall under the protections of free speech. However, when appropriate Equity and Human Rights staff in cooperation with the Human Rights Commission and community allies provide support and engage in the important work of tracking and making visible this type of activity. The goal is to project a clear message that hatred and bigotry

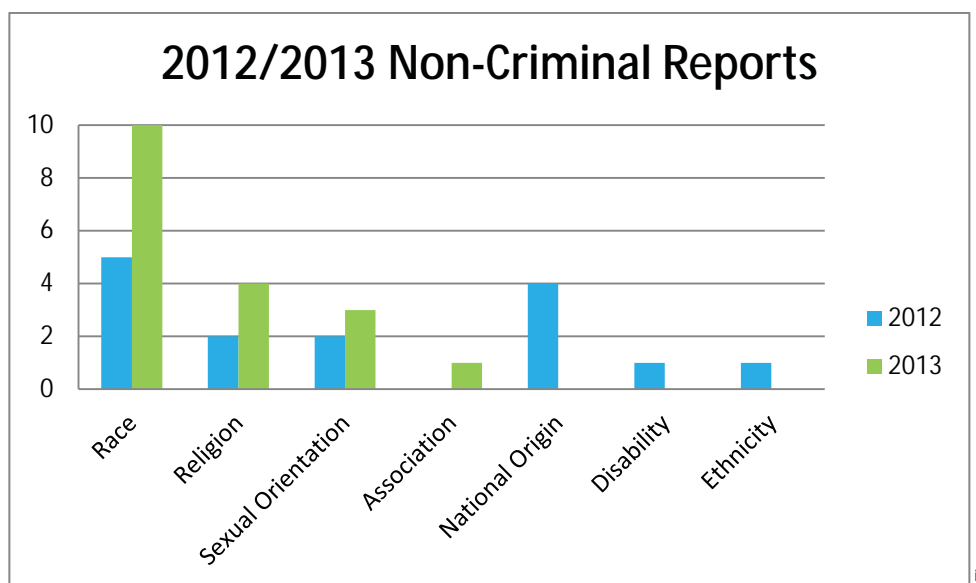
are not acceptable, to stand in solidarity with impacted communities, and increase safety and inclusivity in Eugene.

There were a total of 18 non-criminal bias incidents reported to the Equity and Human Rights Office in 2013. Race was the most frequently reported motivating factor. In regards to race, all but two reports specifically targeted African Americans. Most of the activity reported involving religion was anti-Semitic in nature. However, there was also some serious activity reported involving the targeting of Muslim women and various Christian groups. Several of the reports made to the Equity and Human Rights Office may have been criminal in nature but the victims or witnesses refused to file police reports and so these reports have been captured in the non-criminal numbers.

<b>2013 Non-Criminal Reports Total</b>	<b>18</b>
Race	10
Religion	4
Sexual Orientation	3
Association	1

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For the sake of comparison, there were 15 non-criminal bias incidents reported in 2012 to the Equity and Human Rights Office. Reported activity related to race and religion in 2013 was double the 2012 reports. Non-criminal incidents reported involving sexual orientation as a motivating factor were only marginally higher than in 2012.





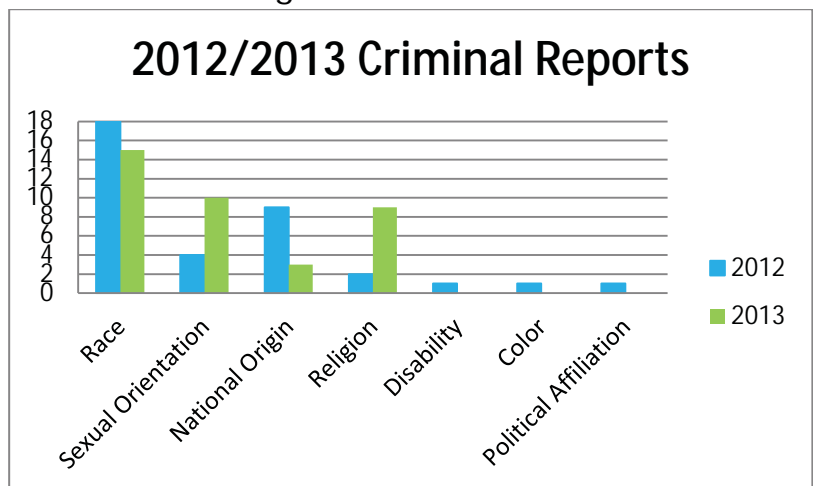
## Bias Crimes

During 2013, 37 criminal bias incidents were reported to the Eugene Police Department. In a few of these situations more than one criminal charge was associated with a single event. For the purposes of this table the event as a whole has been counted as opposed to individual charges. As a result of investigation, two of these complaints were deemed unfounded and in nine cases arrests were made.

2013 Criminal Reports Total	37
Race	15
Sexual Orientation	10
Religion	9
National Origin	3

iv

By comparison, there were 36 criminal bias incidents reported in 2012. Race was still the leading factor however there were more than twice as many crimes related to sexual orientation and religion reported in 2013 and far fewer crimes reported related to national origin.



v

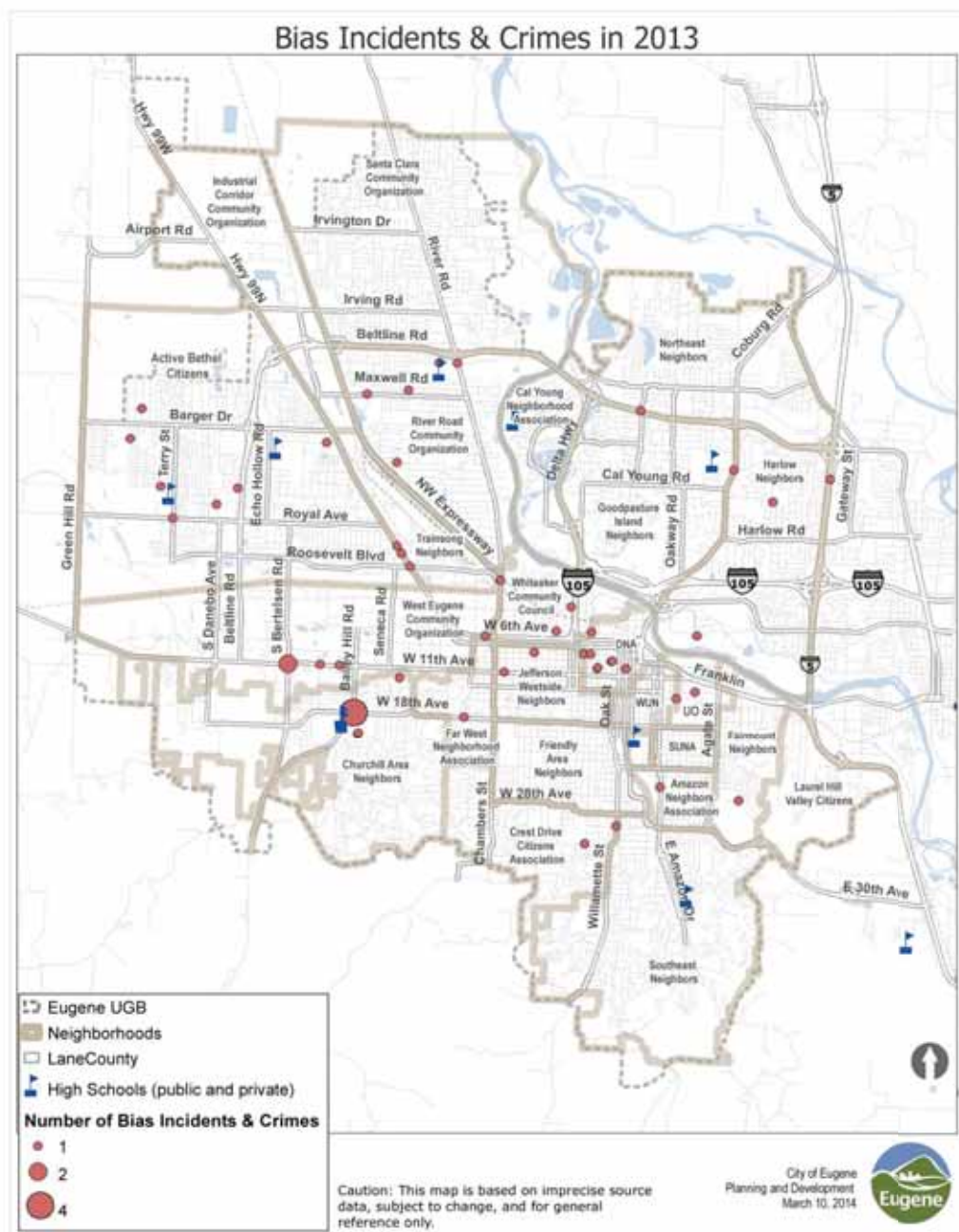
The most common bias crime charge was Intimidation 2 accounting for roughly 30% of criminal charges in 2013<sup>vi</sup>. Often when language or activity goes beyond the protections of free speech it becomes criminal intimidation. In 2013 bias related Criminal Mischief<sup>vii</sup> was much more frequently reported than in years past, accounting for about 20% of bias crime charges. Almost all of the crimes motivated by religion were Criminal Mischief. On the other hand there were three misdemeanor assaults and one felony assault reported as bias crimes.



Race and sexual orientation were the two protected classes that reported assaults.

### **Geographic Distribution**

The geographic distribution of this activity is also worth noting. There was hate and bias activity reported throughout the city. However, there was more concentration of reported incidents in the downtown core and the Churchill area. There was a much higher incidence of activity reported in the Bethel area in 2013 compared to 2012, and less reported near North Eugene High School.



## Response

The City responds in a variety of ways to bias activity. The response is victim directed and protects victim confidentiality when requested. Various people provide support depending on the circumstances and the express wishes of the victim. The Equity and Human Rights Office, Neighborhood Services, Eugene Police, the Human Rights Commission, and community agencies regularly collaborate on response in the form of letters to the victims and their families,

listening to victims' stories, Op-Ed articles and letters to the editor, hate free zone leafleting, alerts in neighborhood association newsletters and social media sites, assistance connecting victims with the media, and criminal investigation where warranted.

## **Conclusion and Next Steps**

It is critical to recognize that communities of color, and African Americans in particular, continued to be significantly impacted by bias activity in 2013 which is consistent with previous years. Race was the motivating factor in 42% of all reported bias crimes and 56% of all reported bias incidents. Incidents reported based on sexual orientation were more than double that reported in 2012. It is also worth noting that there was a higher level of violence reported based on sexual orientation than other protected classes. There are several explanations for the increase in reported activity based on sexual orientation, and as with all bias activity it is likely that both crimes and incidents are under-reported. However, increased guidance for officers responding to and appropriately flagging and routing bias crimes likely had a positive impact. Vandalism and graffiti with bias elements also seem to have been captured in a more consistent manner than in 2012 and overall communication between EPD and Equity and Human Rights has been streamlined with excellent results. The notification process is more timely and seamless and has allowed for more sensitive and coordinated responses to community need.

Continuing to pay attention to geographical context for bias activity has helped identify areas that are experiencing bias activity and direct resources more efficiently. More effective, targeted response in 2013 has involved close coordination between City staff, community leaders in our neighborhoods, schools, businesses, community agencies, and the Human Rights Commission.

Cooperation between the Equity and Human Rights Office and Eugene Police in generating this integrated report has also led to fruitful discussion, more coordinated information sharing, and evaluation of the strengths and weaknesses of the City's current Hate and Bias Incident Response Plan. This plan was created in 2010. In light of experience gained during the first three years of implementation staff have drafted an update to the response plan which is included with this report for review.

For Eugene to be safe, vibrant, and welcoming it is essential to continue to provide support to victims of bias activity and develop and implement

strategies to reduce this activity and the underlying attitudes that perpetuate it. It is also critical to create an environment where it is understood that bias activity is not welcome and will be met with strong community and organizational response.

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<sup>i</sup> <http://www.eugene-or.gov/DocumentCenter/Home/View/536>

<sup>ii</sup> Equity and Human Rights Office Bias Activity Log, compiled February 13, 2014

<sup>iii</sup> Equity and Human Rights Office Bias Activity Log, compiled February 13, 2014

<sup>iv</sup> EPD ICAPBIAS Report, January – December 2013, queried January 23, 2014

<sup>v</sup> EPD ICAPBIAS Report, January-December 2012, queried January 25, 2013

<sup>vi</sup> 4.731 Intimidation in the Second Degree

(1) A person commits the crime of intimidation in the second degree if the person:

(a) Tampers or interferes with property, having no right to do so nor reasonable ground to believe that the person has such right, with the intent to cause substantial inconvenience to another because of the person's perception of the other's race, color, religion, national origin or sexual orientation;

(b) Intentionally subjects another to offensive physical contact because of the person's perception of the other's race, color, religion, national origin or sexual orientation; or

(c) Intentionally, because of the person's perception of race, color, religion, national origin or sexual orientation of another or of a member of the other's family, subjects such other person to alarm by threatening:

1. To inflict serious physical injury upon or to commit a felony affecting such other person, or a member of the person's family; or

2. To cause substantial damage to the property of the other person or of a member of the other person's family.

(2) For purposes of this section, "property" means any tangible personal property or real property, and "sexual orientation" means heterosexuality, homosexuality or bisexuality.

*(Section 4.731 added by Ordinance No. 18826, enacted July 13, 1981; amended by Ordinance*

*No. 19462, enacted April 13, 1987, and Ordinance No. 19686, enacted May 14, 1990.)*

<sup>vii</sup> 4.780 Criminal Mischief in the Third Degree

A person commits the crime of criminal mischief in the third degree if, with intent to cause substantial inconvenience to the owner or to another person, and having no right to do so nor reasonable ground to believe that the person has such right, the person tampers or interferes with property of another.

*(Section 4.780 amended by Ordinance No. 19462, enacted April 13, 1987.)*

#### 4.782 Criminal Mischief in the Second Degree

A person commits the crime of criminal mischief in the second degree if:

(a) The person violates section 4.780, and as a result thereof, damages property in an amount exceeding \$100; or (b) Having no right to do so nor reasonable ground to believe that the person has such right, the person intentionally damages property of another, or, the person recklessly damages property of another in an amount exceeding \$100.

*(Section 4.782 added by Ordinance No. 19462, enacted April 13, 1987.)*

## FY 2014 Human Rights Commission Work Plan

### Objective 1.1: Provide human rights education through use of media, social media, events, speakers, workshops and trainings

Lead: Edward Goehring Support: Ken Neubeck		Delegated To	Timeline	Events
<b>Action 1</b>	<b>Explore options for HRC to engage in social media</b> <i>Measures of Success: options identified, recommendations made to HRC</i>			
Task 1: <input type="checkbox"/>	Research various options to engage in social media, either through HRC's own page development or through already established pages and networks			
Task 2: <input type="checkbox"/>	Draft recommendations and present to HRC for approval			
<b>Action 2</b>	<b>Proactively facilitate/host conversations on sensitive topics such as race, gender, and poverty</b> <i>Measures of Success: At least one conversation hosted</i>	E.G.		Police Profiling Forum
Task 1: <input checked="" type="checkbox"/>	Identify key partners and invite for collaboration		12/2013	
Task 2: <input checked="" type="checkbox"/>	Determine format, topics, critical areas		2/2014	
Task 3: <input checked="" type="checkbox"/>	Plan event/s		2/2014	
Task 4: <input checked="" type="checkbox"/>	Host/attend event/s	E.G., K.N.	3/2014	
<b>Action 3</b>	<b>Support, promote or host events/trainings that further the mission of the HRC</b> <i>Measures of Success: Host IHRD, annual calendar developed, sponsorship requests fielded</i>			
Task 1: <input checked="" type="checkbox"/>	Plan, Implement, and Host International Human Rights Day		12/10/2013 Cancelled	
Task 2: <input checked="" type="checkbox"/>	Identify events for HRC participation and develop annual calendar		9/2013	
Task 3: <input checked="" type="checkbox"/>	Develop partnerships with festival organizers to establish a more prominent role for the HRC		YEPSA MLK GLAD IN	
Task 4: <input checked="" type="checkbox"/>	Respond to requests of HRC event sponsorship from community groups		Monthly	
<b>Community and City Partners and Resources:</b> ACLU Civil Conversations, University of Oregon Dean of Students Race Card project				

## FY 2014 Human Rights Commission Work Plan

### Objective 2.1: Establish, strengthen and maintain effective relationships with City Council and other City advisory bodies.

Objective Leads: Andrew Thomson Support: Councilor Evans		Delegated To	Timeline	Events
<b>Action 1</b>	<b>Create and strengthen liaison relationships with Sustainability Commission, Police Commission, Civilian Review Board, Accessibility Advisory Group, Equity and Human Rights Board, Community Development Block Grant Advisory Committee and City Council.</b> <i>Measures of Success: liaison list created, liaisons assigned and reporting quarterly, working agreements with other bodies established</i>			
<b>Task 1:</b> <input checked="" type="checkbox"/>	Assign liaisons from HRC, confirm liaisons to HRC		1/2014	
<b>Task 2:</b> <input type="checkbox"/>	Create working agreements with other advisory bodies			
<b>Task 3:</b> <input checked="" type="checkbox"/>	Invite annual presentation from Police Auditor/CRB	Chairs		
<b>Task 4:</b> <input type="checkbox"/>	Explore ways to minimize barriers for accessing the police oversight system			
<b>Action 2</b>	<b>Strengthen relationships with Neighborhood Associations</b> <i>Measures of Success: at least one article submitted to Neighborly News, successful collaboration on at least one issue of common concern</i>			
<b>Task 1:</b> <input checked="" type="checkbox"/>	Prepare and submit articles for Neighborly and other neighborhood publications	Chairs, Recruitment Sub-committee	MLK March BC Recruitment	MLK March
<b>Task 2:</b> <input checked="" type="checkbox"/>	Track emerging issues in Neighborhood associations through staff reports and NLC minutes to identify areas for potential HRC collaboration.	Staff, Chairs	2/2014	
<b>Task 3:</b> <input type="checkbox"/>	Attend and/or contribute to content for trainings provided by Neighborhood Services			
<b>Action 3</b>	<b>Increase HRC understanding of DESP</b> <i>Measures of Success: DESP presentation hosted</i>			
<b>Task 1:</b> <input type="checkbox"/>	Host DESP presentation at HRC meeting	Chairs		
<b>Action 4</b>	<b>Raise awareness of HRC/Boards and Commissions, recruit for diverse applicant pool</b> <i>Measures of Success: Outreach during open recruitment conducted</i>		3/2014	
<b>Task 1:</b> <input checked="" type="checkbox"/>	Request and review report from Boards and Commissions staff on demographic composition of Boards and Commissions membership		2/2014	
<b>Task 2:</b> <input checked="" type="checkbox"/>	Strategize and execute an outreach plan for boards and commissions recruitment, identify potential partner agencies and key community leaders for collaboration		2/2014	Asian Celebr.

## FY 2014 Human Rights Commission Work Plan

### Objective 3.1: Respond to and address hate and bias activity, including systemic and individual racism.

Objective Leads: Chris Nunes, David Van Der Haeghen Support:		Delegated To	Timeline	Events
<b>Action 1</b>	Increase HRC and Council awareness of hate and bias activity, coordinate responses in collaboration with community <i>Measure of Success: Roles for HRC in bias response defined, HRC participation in responses</i>			
<b>Task 1:</b> <input checked="" type="checkbox"/>	Receive quarterly reports from EPD and Human Rights staff on bias activity	Chairs	Quarterly	
<b>Task 2:</b> <input type="checkbox"/>	Provide feedback to Council as needed on trends or areas of concern			
<b>Task 3:</b> <input type="checkbox"/>	Develop specific roles for HRC in supporting the City's Hate and Bias Response plan (ie. letters, website, newsletter, reports, articles, Neighborhood Association collaboration)			
<b>Task 4:</b> <input type="checkbox"/>	Develop and execute outreach plan for vulnerable populations to increase awareness of Equity and Human Rights Office services			
<b>Action 2</b>	<b>Encourage organizations that collect Hate/Bias reports to share information</b> <i>Measure of Success: Share data with at least one external organization</i>			
<b>Task 1:</b> <input type="checkbox"/>	Develop list of other organizations likely to receive reports			
<b>Task 2:</b> <input type="checkbox"/>	Distribute information on the Equity and Human Rights Office to encourage more reporting			
<b>Task 3:</b> <input type="checkbox"/>	Provide recommendations to staff on how to proceed with attempts to share information			
<b>Action 3</b>	<b>Review local data sources to identify indicators of systemic racism and communicate findings to staff and decision makers.</b> <i>Measure of Success: Written report of findings</i>			
<b>Task 1:</b> <input type="checkbox"/>	Identify Sources			
<b>Task 2:</b> <input type="checkbox"/>	Review Information and write report			
<b>Task 3:</b> <input type="checkbox"/>	Identify opportunities to provide input in the context of policy or decision making processes (ie. Evaluate Envision Eugene implementation using Equity and Opportunity Assessment)			
<b>Action 4</b>	<b>Explore ways to support anti-bullying in schools</b> <i>Measures of Success: Completion and distribution of report</i>			
<b>Task 1:</b> <input type="checkbox"/>	Meet with partners at Bethel and 4-J school districts to gauge interest in HRC collaboration			
<b>Community and City Partners and Resources:</b> Community Alliance of Lane County, NAACP, Equity and Human Rights Staff, School Districts, Parent Teacher Associations				

## FY 2014 Human Rights Commission Work Plan

### Objective 3.2: Respond to and advocate on community issues around homelessness and poverty

Lead(s): Ken Neubeck, Arun Toke, Richie Weinman Support:		Delegated To	Timeline	Events
<b>Action 1</b>	<b>Assist Council in gathering data and community input, analysis &amp; reporting</b> <i>Measures of Success: Input gathered, report delivered to Council</i>			
<b>Task 1:</b> <input checked="" type="checkbox"/>	Engage Council and request input and clarity regarding desired HRC role in homelessness issues	Chairs	2/2014	
<b>Task 2:</b> <input checked="" type="checkbox"/>	Develop engagement strategy (ie. hosting a community forum, surveys, etc.)	K.N., R.W., A.T.	1-3/2014	
<b>Task 3:</b> <input type="checkbox"/>	Implement strategy			
<b>Task 4:</b> <input type="checkbox"/>	Research confluence of issues regarding homelessness and poverty			
<b>Task 5:</b> <input type="checkbox"/>	Frame results of engagement and research in terms of poverty/homelessness and develop report			
<b>Task 6:</b> <input type="checkbox"/>	Deliver report to Council			
<b>Action 2</b>	<b>Explore opportunities for collaboration on County Continuum of Care Board</b> <i>Measures of Success: Host presentation, HRC discussion on link to Board</i>			
<b>Task 1:</b> <input type="checkbox"/>	Contact County staff to get update on status of Continuum of Care Board			
<b>Task 2:</b> <input type="checkbox"/>	Consider creating HRC liaison to Board			
<b>Action 3</b>	<b>Monitor, assess and report out implementation of Opportunity Eugene Task Force recommendations.</b> <i>Measures of Success: Report generated and distributed</i>			
<b>Action 4</b>	<b>Explore, research and make proposals to add protected class status for the homeless in addition to exploring a homeless bill of rights for Eugene</b> <i>Measure of Success: research complete, report generated and distributed</i>	K.N., A.T.	3/2014	
<b>Action 5</b>	<b>Research tracking and reporting crimes committed against homeless individuals and report findings back to the Human Rights Commission.</b> <i>Measure of Success: research complete, report generated and distributed</i>			
<b>Community and City Partners and Resources:</b> Continuum of Care Board, City Council, Community Development Staff, Equity and Human Rights Staff, non-profit service providers such as SVPD, Catholic Community Services, Shelter Care, advocate organizations such as Community Supported Shelters, SLEEPS, Neighborhood Associations, Housing Policy Board				



## FY 2014 Human Rights Commission Work Plan

### Objective 3.3: Respond to, and advocate for, the removal of impediments to immigrant integration within the Eugene community

Leads: Mary Clayton, Phil Carrasco Support:		Delegated To	Timeline	Events
Action 1	Collaborate with City staff, Integration Network (IN), and other community partners on immigrant integration issues (ie. welcoming spaces and language access work) <i>Measures of Success:</i>			
Task 1: <input checked="" type="checkbox"/>	Contact key partners and determine opportunities for collaboration	P.C., K.N.	10/2013	
Task 2: <input checked="" type="checkbox"/>	Facilitate conversation between partners	P.C., K.N.	Ongoing	
Task 3: <input checked="" type="checkbox"/>	Explore opportunities for collaboration on events/forums	P.C., K.N.	5/2014	
Action 2	Explore how HRC can support providing information and education to immigrant parents on school resources and processes to improve outcomes for immigrant youth <i>Measures of Success: Conversations held with partners</i>			
Task 1: <input type="checkbox"/>	Contact partners in schools to determine need and interest develop plan based on partner input			
Task 2: <input type="checkbox"/>	Research Salem/Keizer regional Latino parent conference and evaluate potential for local model			
Community and City Partners and Resources:				
Integration Network (IN) for Immigrants of Lane County, Asian Pacific American Network of Oregon, Chinese American Benevolent Association, LCC, School Districts, City Staff, Salem/Keizer Coalition for Equality ( <a href="http://www.eugene-or.gov/index.aspx?NID=528">http://www.eugene-or.gov/index.aspx?NID=528</a> )				



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March 28<sup>th</sup>, 2014

Babe O'Sullivan  
Sustainability Liaison  
City of Eugene

**Re: Community Conversation with BEST**

Dear Babe,

I am writing to see if Sustainability Commission is interested in having Better Eugene-Springfield Transit (BEST) lead a discussion about the role of transit in our community.

The availability of transit service in our community has both environmental and social equity implications. BEST wants to listen to the transportation-related concerns of both the Eugene Sustainability Commission and the Human Rights Commission.

Regardless of your view on West Eugene EmX, many believe that discussion started in the middle, skipping important basic questions. Now that the project has the approval and funding to move forward, BEST wants to step back and hear diverse points of view about transit.

What purpose does transit serve? What benefits do a strong transit system provide? How does transit support the things we value as a community and our vision for our future? Other questions include: What types of transit do we want to have? Who should transit serve? Where should it go? When should it run? How do we pay for it? And so on. These are important questions. But they are secondary to the question of why. We need to understand why transit is important—if indeed it is—before figuring out what should happen.

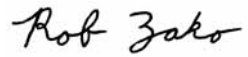
We are looking to have a discussion by May at a convenient time and place. This could be a regular meeting, or a smaller focus group-style discussion with selected voices. The discussion could include presentations of some points of view following by Q&A and comments, or it could be more of a roundtable discussion. And while we are interested in learning if and how transit is important to the community, we don't want to limit discussion and are interested in your questions and comments. Please refer to our discussion with the City Club on January 31<sup>st</sup>, which featured three panelists, as one example of a conversation on transit: [klcc.org/post/role-transit-our-community-vision](http://klcc.org/post/role-transit-our-community-vision)

And after holding many such conversations, BEST will report back what we have heard, perhaps with recommendations around areas of general agreement.

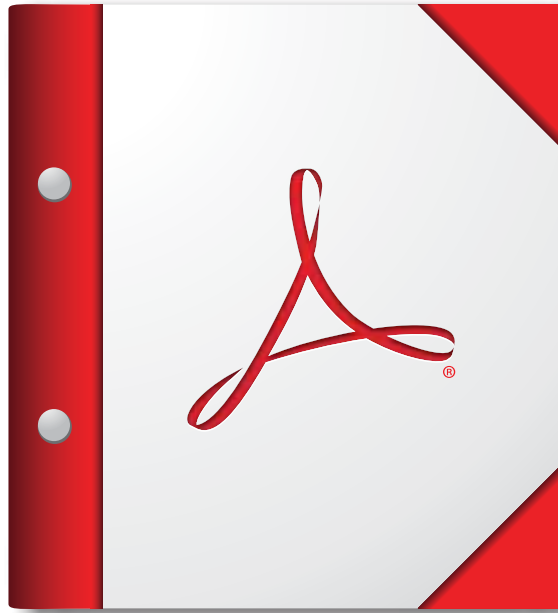
BEST is a privately supported 501(c)(3) educational nonprofit. We promote a regional transit system that fosters prosperity, social equity, and a healthy natural environment. As our masthead shows, our Boards of Directors and Advisors include a broad cross-section of community leaders.

Please do not hesitate to contact me with any concerns or questions. You may also direct your questions to our Outreach Coordinator, Kaitlyn Grigsby, at [kaitlyn@best-oregon.org](mailto:kaitlyn@best-oregon.org).

Thank you in advance for your consideration,

A handwritten signature in black ink that reads "Rob Zako". The script is cursive and fluid.

Rob Zako  
Executive Director  
541-343-5201  
[rob@best-oregon.org](mailto:rob@best-oregon.org)



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# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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Work Session: Multi-Unit Property Tax Exemption (MUPTE) Program Revisions

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Meeting Date: April 14, 2014  
Department: Planning & Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item: B  
Staff Contact: Denny Braud  
Contact Telephone Number: 541-682-5536

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## ISSUE STATEMENT

This work session is a continuation of the discussion on potential Multi-Unit Property Tax Exemption (MUPTE) program reforms. Council will review and discuss stakeholder feedback and staff recommendations with an opportunity to provide direction for next steps. (Updated MUPTE criteria for council consideration is provided in Attachment A.)

## BACKGROUND

The MUPTE program is enabled by state legislation and designed to encourage higher density housing and redevelopment in the core area and along transit corridors. The program provides a tax exemption for up to 10-years on qualified, new multi-unit housing investments that occur within a targeted area, meet program requirements, and are reviewed and approved by council. MUPTE works by lowering the operating cost enough to make a project financially feasible. The MUPTE program is currently suspended through July 31, 2014.

In 2013, council met to discuss the MUPTE program on April 22, May 13, June 24, July 24, and November 18. Council received input from key stakeholders at a workshop on May 22. On July 24, council took action to extend the MUPTE suspension in order to continue reviewing the program criteria to insure that community benefits are achieved, and to provide an opportunity to engage the community and stakeholders in the process of reforming the program. Additionally, council highlighted the importance of:

- Aligning the MUPTE tool and availability of the tool with the goals of Envision Eugene.
- Consideration of affordable housing needs and the role that MUPTE can play in advancing this goal.
- Local hiring and the need to support local businesses and talent.
- Identifying community benefits and the need for MUPTE projects to advance community goals.
- Thoughtful and timely reforms that can be implemented to support redevelopment opportunities.

On November 18, council added the West 11<sup>th</sup> area to the potential boundary and identified the following areas for further discussion: local hiring practices, financial gain cap, affordable housing (fee vs. providing units within the project), energy-efficient buildings, application scoring system, and percentage-of-median-income housing qualification. Council also expressed support for seeking stakeholder and community input opportunities and the following draft process.

1. Council consideration of revised criteria based on stakeholder input.
2. Hold a public hearing on a new MUPTE program ordinance.
3. Council consideration and adoption of new MUPTE ordinance.

Since the November 18 work session, staff met with several stakeholder groups:

- Housing Policy Board committee for feedback specifically related to Affordable Housing criteria;
- Development related fields including three developers, an appraiser, and a banker;
- Construction industry including general contractors, specialized trades, and union representatives;
- Human Rights Commission subcommittee; and
- Technical Resource Group (TRG) comprised of community members with expertise in real estate, land use, and business. This group provided independent review and a technical analysis that informed the March 2012 Envision Eugene Recommendations.

Feedback summaries for each of these groups can be found in Attachments B – F. The TRG memo to council dated November 15, 2013 is provided as Attachment G. Additionally, Green Building Program staff provided information and initial analysis on the newest version of LEED– v4 launched November 20, 2013. (See Attachment H for information on LEED v4.) The potential MUPTE boundaries are in Attachment I, and include the addition of West 11<sup>th</sup> based on council feedback at the last work session.

Based on the stakeholder feedback received to date and the known economic realities, updated MUPTE criteria for council consideration is provided in Attachment A, which includes a summary memo of the differences between the November 18, 2013 draft and the revised draft.

## **RELATED CITY POLICIES**

Utilization of the MUPTE program to stimulate new multi-unit housing development addresses many goals for Eugene and downtown, including:

### *Envision Eugene Pillars*

- Promote compact urban development and efficient transportation options.
  - Integrate new development and redevelopment in the downtown, in key transit corridors and in core commercial areas.
  - Meet the 20-year multi-family housing need within the existing Urban Growth Boundary.
  - Make compact urban development easier in the downtown, on key transit corridors, and in core commercial areas.
- Provide housing affordable to all income levels.
- Plan for Climate Change and Energy Resiliency.
  - Make energy efficiency in buildings and vehicles the first line of action in reducing energy dependence and greenhouse gas emissions.
  - Align incentives, costs and city processes to promote resource efficient buildings, smaller homes and development towards the city core.

### *Regional Prosperity Economic Development Plan*

- Strategy 5: Identify as a Place to Thrive - Priority Next Step - Urban Vitality
  - As we foster a creative economy, dynamic urban centers are an important asset. Eugene,

Springfield and many of the smaller communities in the region recognize the importance of supporting and enhancing vitality in their city centers. Building downtowns as places to live, work and play will support the retention and expansion of the existing business community and be a significant asset to attract new investment. The Cities of Eugene and Springfield will continue to enhance their efforts to promote downtown vitality through development and redevelopment.

#### *City Council Goal of Sustainable Development*

- Increased downtown development

#### *Eugene Downtown Plan*

- Stimulate multi-unit housing in the downtown core and on the edges of downtown for a variety of income levels and ownership opportunities.
- Downtown development shall support the urban qualities of density, vitality, livability and diversity to create a downtown, urban environment.
- Actively pursue public/private development opportunities to achieve the vision for an active, vital, growing downtown.
- Use downtown development tools and incentives to encourage development that provides character and density downtown.
- Facilitate dense development in the courthouse area and other sites between the core of the downtown and the river.

#### *Climate and Energy Action Plan*

- Buildings & Energy Section:
  - Objective 2: Reduce GHG emissions from new construction by 50 percent by 2030.
  - Action 2.2: Increase incentives for highly energy-efficient new buildings aiming toward net zero energy and carbon neutral buildings.

### **COUNCIL OPTIONS**

1. Direct the City Manager to schedule a public hearing on an ordinance modifying the MUPTE program consistent with the criteria included in Attachment A.
2. Amend the criteria included in Attachment A, and direct the City Manager to schedule a public hearing on an ordinance modifying the MUPTE program as amended.
3. Take no action and continue the discussion on MUPTE program reform at another work session.

### **CITY MANAGER'S RECOMMENDATION**

The City Manager recommends scheduling a public hearing on an ordinance modifying the MUPTE program consistent with the criteria included in Attachment A.

### **SUGGESTED MOTION**

Move to direct the City Manager to schedule a public hearing on an ordinance to adopt MUPTE program revisions consistent with the criteria included in Attachment A.

### **ATTACHMENTS**

- A. Revised Draft - MUPTE Program Criteria

- B. Housing Policy Board Eugene Committee – Feedback Summary
- C. Developer Stakeholder Group – Feedback Summary
- D. Construction Industry Stakeholder Group – Feedback Summary
- E. Human Rights Commission Subcommittee – Feedback Summary
- F. Technical Resource Group – Meetings Summary
- G. Technical Resource Group – Memo to Council November 2013
- H. LEED Update
- I. Potential MUPTE Boundaries

**FOR MORE INFORMATION**

Staff Contact: Denny Braud  
Telephone: 541-682-5536  
Staff E-Mail: [denny.braud@ci.eugene.or.us](mailto:denny.braud@ci.eugene.or.us)



## Memorandum

**Date:** April 14, 2014  
**To:** Mayor & City Council  
**From:** Denny Braud, Division Manager AIC  
**Subject:** Revised Draft Criteria Cover Memo

Below is a summary of the differences between the November 18, 2013 draft and the revised draft (April 14, 2014) all based on stakeholder feedback and additional staff research as further described in the Agenda Item Summary. The revised draft immediately follows the summary.

### **MINIMUM THRESHOLD CRITERIA** – All MUPTE projects must meet the MTC.

1. **Eligible Project Types** *(no material change)*
2. **Boundary**
  - Added West 11<sup>th</sup> area per November 18, 2013 work session.
3. **Density**
  - Added specificity in alignment with having MUPTE projects contributing density in excess of code minimums.
4. **Project Design**
  - Added City Manager's role in post-approval process.
5. **Green Building**
  - Added specificity necessary for LEED's implementation of v4.
  - Replaced LEED requirement in boundary areas C & D (6th/7th Trainsong Highway 99 Corridor and West 11th) with the less costly and more flexible requirement to provide additional project features from the list in section 12.
  - Added ability for applicant to make hardship case and request consideration of alternative features to LEED.
6. **Neighborhood Contact** *(no change)*
7. **Affordable Housing**
  - Refined requirement to be payment of fee (rather than provision of units) because:
    - Paying the fee is more efficient for all parties. For-profit developers do not have experience in collecting income documentation. Record keeping, reporting, and monitoring are costly for owners and City staff.
    - Provision of units would provide a shorter period of benefit when compared to the benefit periods attained through City affordable housing work. In addition, there could be difficult displacement issues when the period of affordability ends and the owner raises the rents;

- Mixed-income projects are highly unlikely (based on the program history from 1989 – 2004, when the City last required an affordable housing component);
  - Eliminates the need to reach agreement on the level of affordability for the units (percentage Area Median Income), which would be difficult; and
  - Funds collected through fee will leverage other funds in projects.
  - Fee to be based on value of tax exemption and to be 5-10% of the total exemption paid in years three through seven or upfront with a discount.
  - Waived fee for projects in boundary areas C & D (6th/7th Trainsong Highway 99 Corridor and West 11th) as an additional incentive for multi-unit housing.
8. **Local Economic Impact Plan** (*formerly “Local Hiring Goals”*)
- Clarified City’s purpose for requiring applicant to have the plan.
  - Defined local as Lane County.
  - Refined requirement to be a percentage of the dollar volume of the combined professional services and construction contracts (rather than of the residency of the on-site construction jobs) because local firms hire local workers as normal course of business and tracking the many workers per project would be extensive.
  - Targeted minimum of 50%.
  - Added specificity to Minority and Women Business Enterprises in alignment with City’s internal practices.
  - Added due diligence and documentation steps to support compliance with licensing, tax, and labor laws.
  - Added promotion of City’s existing Rights Assistance Program.
9. **Project Need** (*no change*)

**ADDITIONAL PUBLIC BENEFIT CRITERIA** – In the event that a project is not eligible for a 10-year exemption (due to MTC #9 “Project Need”), the Additional Public Benefit Criteria shall be used to determine eligibility for qualifying for an exemption up to, but no longer than, 10 years. The MUPTE Review Panel would consider the proposed Additional Public Benefit Criteria features and make a recommendation to the City Manager. The Additional Public Benefit Criteria would not be scored with the intent of providing a flexible menu of options to maximize public benefit based on individual location and neighborhood factors.

10. **Documented Local Economic Impact** (*formerly “Local Hiring”*)
- Refined to align with revised details of MTC #8 (Local Economic Impact Plan).
  - Added commits to completing certified payroll.
11. **Location** (*no change*)
12. **Project Features**
- Refined to align with revised details of MTC #7 (Affordable Housing).
  - Added specific percentage above Oregon Energy Code needed (15%).
  - Added pedestrian connections to item “I” as method for encouraging alternative transportation options.

## **OTHER PROGRAM REQUIREMENTS**

### **13. MUPTE Review Panel**

- Added review of program volume cap to the annual report.
- Added confidentiality language.

### **14. Financial Reporting**

- Moved from MTC section because it is an ongoing monitoring/compliance item and not an application review item.
- Added specificity to the financial information required.
- Added confidentiality language.

### **15. Program Volume Cap**

- Added annual review as part of the MUPTE Review Panel's annual report.

## Revised MUPTE Criteria

### **MINIMUM THRESHOLD CRITERIA**

To be considered for MUPTE approval, projects must meet the following minimum threshold criteria (MTC).

#### 1. Eligible Project Types

Multi-unit housing projects (excluding “student housing”) that are newly constructed, additions to existing multi-unit housing, or structures converted in whole or in part from other use to dwelling units. The commercial portion of a project is eligible for an exemption if deemed a public benefit by council.

“Student housing” is housing specifically built for living space for undergraduate and graduate students where the leasing unit is by room or bed (not an entire residential unit), and unit configurations take the form of several bedrooms with individual bathrooms and sparse common space. Project amenities and location are selected to appeal only to students and offer limited viability as potential housing for the general population, particularly families.

#### 2. Boundary

A MUPTE boundary to include five areas:

- A. Mid-town,
- B. South Willamette,
- C. 6<sup>th</sup>/7<sup>th</sup> Trainsong Highway 99 Corridor,
- D. West 11<sup>th</sup>, and
- E. Downtown (current boundary plus one property on 11<sup>th</sup> & Lincoln that was in the 2004 – 2011 boundary and EWEB property north of 4<sup>th</sup> Avenue).

#### 3. Density

- Residential zones: 175% of minimum density for the zone with five units minimum
- Form-based zones with height limit of three or four stories: 30 units per acre with five units minimum
- Mixed-use development: five units minimum <sup>1</sup>
- All other areas, including residential-only development in commercial or mixed use zones: 50 units/acre with five units minimum

Projects on R1 property do not qualify for MUPTE as the R1 zone prohibits multi-unit projects.

#### 4. Project Design

Application must include a detailed description of the proposed project and graphic information including site plans and elevations containing sufficient detail to demonstrate that the project addresses a set of basic design principals in the context of the project location. Design Principles include the scale, form, and quality of the building; the mix of project elements; and the relationship to the street and surrounding uses; as part of the standards and guidelines, the City Manager may provide further clarification of these design principles. As a

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<sup>1</sup> Mixed-Use Development incorporates both commercial and residential use in the same building.

condition of MUPTE approval, the project will be required to adhere to the project design elements that were reviewed at the time of Council approval, unless the City Manager determines in writing that proposed deviations from the approved design provide the same or greater degree of adherence to the Design Principals.

5. Green Building

The project must be built to meet a minimum green building standard of Leadership in Energy and Environmental Design (LEED) *2009 Silver or LEED v4 Certified*. This requirement does not apply in boundary area C (6<sup>th</sup>/7<sup>th</sup> Trainsong Highway 99 Corridor) and area D (West 11<sup>th</sup>). However, projects within those areas must provide additional project features from the list in section #12 below. In demonstrated cases of hardship (e.g. brownfield redevelopment or market challenges), applicants can request consideration of alternatives:

- Energy efficiency features such as NW Energy Star or modeled energy performance at 10% above Oregon Energy Code, or
- Additional project features from the list in Section #12 below.

6. Neighborhood Contact

Although neighborhood association support is not required for MUPTE approval, the applicant must make an effort to contact the appropriate neighborhood association to share project information and seek input. Evidence of such effort must be included in the application and shall include a copy of the comments received from the neighborhood association or documentation of the applicant's attempt to solicit comments.

7. Affordable Housing

For rental projects, each owner will pay a fee to be dedicated to affordable housing/emergency shelter. The fee will be 5-10% of the total MUPTE benefit for the 10 year benefit. The owner can choose to pay the fee annually during years three through ten (to accommodate the project stabilization period each project experiences) or upfront with a discount. The fee is not paid in boundary area C (6<sup>th</sup>/7<sup>th</sup> Trainsong Highway 99 Corridor) and area D (West 11<sup>th</sup>) as an additional incentive for multi-unit housing.

8. Local Economic Impact Plan

To ensure that a substantial portion of the local tax benefit yields a benefit to the local community, applicants must provide a plan to meet the following goal:

- Provide for more than 50% of the dollar volume of the combined professional services and construction contracts include local firms. A local firm is one based in Lane County. Trades not available locally will be identified and exempted when appropriate.

Additionally, the applicant must ensure that qualified Minority and Women Business Enterprises (MWBE) have an equitable opportunity to compete for contracts and subcontracts. The City supports the utilization of Minority, Women, Emerging Small Businesses, local businesses, Disadvantaged Business Enterprises and Qualified Rehabilitation Facilities at both a prime and subcontracting level.<sup>2</sup>

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<sup>2</sup> Admin Order No. 44-08-06-F, Exhibit A, Article 6, section 6.2.4

The City encourages approved applicants to use the following practices to promote open competitive opportunities for MWBE businesses:

- Access lists of certified minority, women, emerging small business or disadvantaged business enterprises from the Oregon State Office of Minority, Women and Emerging Small Business (OMWESB) by visiting their website at: <http://www4.cbs.state.or.us/ex/dir/omwesb/>
- Visit the Oregon State Qualified Rehabilitation Facilities Program website at <http://dasapp.oregon.gov/qrf/index.aspx> to search for Qualified Rehabilitation Facilities from whom to procure products or services.
- Advertise in general circulation, trade association, and minority focused media about prime and subcontracting opportunities.

**Awarded MUPTE projects must follow wage and tax laws.**

- As a condition of receiving MUPTE, the owner must ensure or exercise due diligence in ensuring that all the contractors performing work are licensed and in compliance with Oregon Revised Statutes Chapter 701 (Construction Contractors and Contracts). The owner must compile a list of all contractors performing work on the project before the contractor performs any work on the project. The owner must confirm the proper licensing, insurance, bonding and workers comp coverage for each contractor.
- The contractor must provide an affidavit to the owner that the contractor, owner or responsible managing individual of the contractor does not have any unpaid judgments for construction debt, including unpaid wages. The contractor affidavit should also attest that the contractor is in compliance with Oregon tax laws described in ORS 305.620 (local taxes) and ORS Chapters 316, 317, and 318 (state income taxes).

**The City's existing Rights Assistance Program is an available resource for the community at large and MUPTE project related parties. Awarded MUPTE projects must post information on the Rights Assistance Program in English and Spanish.**

**9. Project Need**

Analysis of the project pro forma must establish that the project would not be built but for the benefit of the tax exemption. The applicant must submit documentation, including a pro forma and an analysis of the projected rate of return (as measured by the Cash on Cash return) for the proposed project demonstrating that the anticipated overall rate of return for the project (with MUPTE) for the maximum period of exemption (10 years) will not exceed 10 percent. The pro forma and assumptions will be analyzed by the MUPTE review panel.

If the projected overall rate of return for the maximum exemption period is:

- Less than 10 percent and the MTC is met, then the project would be eligible to receive the maximum 10-year exemption.
- Greater than 10 percent, then:
  - o The term of the exemption will be decreased by the number of years necessary to bring the rate of return down to 10 percent, or
  - o The applicant can propose adding project elements from the Additional Public Benefit Criteria to increase the term of the exemption up to 10 years. The MUPTE Review Panel

would consider any proposed Additional Public Benefit Criteria features and make a recommendation to the City Manager.

### **ADDITIONAL PUBLIC BENEFIT CRITERIA**

In the event that a project is not eligible for a 10-year exemption (see MTC #9 “Project Need” above), the Additional Public Benefit Criteria shall be used to determine eligibility for qualifying for an exemption up to, but no longer than, 10 years. The MUPTE Review Panel would consider any proposed Additional Public Benefit Criteria features and make a recommendation to the City Manager. The Additional Public Benefit Criteria would not be scored with the intent of providing a flexible menu of options to maximize public benefit based on individual location and neighborhood factors.

#### **10. Documented Local Economic Impact**

The extent to which the project meets the goal established in the Local Economic Impact Plan (MTC #8 above), demonstrates solicitation of bids from WMBE, and commits to completing certified payroll.

#### **11. Location**

Projects located within the Downtown Plan Area or within a HUD Low-Mod Income Area, on a brownfield site, or projects that include the redevelopment of a valuable historic resource.

#### **12. Project Features**

The extent to which the project incorporates the following features:

- A. Payment of an increased affordable housing fee,
- B. Exceed the Oregon Energy Efficiency Specialty Code by 15% or more,
- C. Provision of Americans with Disabilities Act (ADA) accessible dwelling units,
- D. Provision of dwelling units available for home ownership,
- E. Inclusion of open space, community gardens, or gathering space that is accessible to the surrounding community,
- F. Inclusion of ground floor commercial/retail that addresses a neighborhood need,
- G. Design excellence and neighborhood compatibility,
- H. Provision of embedded or structured parking, and
- I. Encourage alternative transportation options, including bus passes, car share, bike share, bus shelter, pedestrian connections, and minimum parking where appropriate.

### **OTHER PROGRAM REQUIREMENTS**

#### **MUPTE Review Panel**

A newly formed MUPTE review panel appointed by the City Manager to provide a third-party review of the MUPTE program including:

- Review of project applications, with emphasis on analyzing the project’s financial projections.
- Review applicant’s conformance with the MTC and any proposed Additional Public Benefit Criteria and make recommendations regarding approval/denial of the tax exemption to the City Manager.

- Assist the City Manager in preparing an Annual Report on the MUPTE program that will also cover the program volume cap.

Review Panel members would sign a confidentiality agreement.

#### Financial Reporting

During the exemption period, the project's owner must submit annual accountant-prepared financial information (audited financial statements, tax returns, and 10-year operating cash flow with to-date rate of return) to evaluate a to-date cash-on-cash rate of return for the project. The financial information will be used by the City Manager to analyze the overall effectiveness of the MUPTE program and may be used in the aggregate as part of the Annual Report. Information submitted by owners would be kept confidential to the extent state public records law allows.

#### Program Volume Cap

The MUPTE program goal is to assist in the creation of 1,600 new, multi-family housing units after adoption of the 2014 ordinance. The MUPTE Review Panel will review the cap as part of the Annual Report. At such time that the MUPTE-assisted number of dwelling units constructed reaches the cap, council shall conduct a comprehensive review to determine if continuation of the program is desired.



**Housing Policy Board Committee – Eugene MUPTE Program**

January 9, 2014 from 10:30 – 12:00

Downtown Library – 100 W. 10<sup>th</sup> Ave., Singer Room

**ACTION SUMMARY**

*Committee members present:* Norton Cabell, Morgan Greenwood, Councilor Chris Pryor, Virginia Thompson, John Vanlandingham, Jacob Fox (HACSA), Kristen Karle (SVDP), Richard Herman (Metro), and Susan Ban (Shelter Care)

*Staff present:* Denny Braud, Stephanie Jennings, and Amanda Nobel Flannery

10:35 Denny convened the meeting.

1. Committee members discussed the four areas highlighted in the briefing memo and, ultimately, recommended that:
  - ❖ The program to require each owner to pay a fee to be dedicated to affordable housing/emergency shelter. The fee is preferred over the provision of affordable units within MUPTE projects because:
    - Paying the fee is more efficient for all parties. For-profit developers do not have experience in collecting income documentation. Record keeping, reporting, and monitoring are costly for owners and City staff. Jacob described his experience overseeing City of Portland's Multiple-Unit Limited Tax Exemption (MULTE) program where the underwriter and application processor each would spend 60 hours followed by 15 hours of Jacob's time per application;
    - Mixed-income projects are highly unlikely (based on the program history from 1989 – 2004, when the City last required an affordable housing component);
    - Provision of units would provide a shorter period of benefit when compared to the benefit periods attained through City affordable housing work. In addition, there could be difficult displacement issues when the period of affordability ends and the owner raises the rents;
    - Eliminates the need to reach agreement on the level of affordability for the units (percentage Area Median Income), which would be difficult; and
    - Funds collected through fee will leverage other funds in projects.
  - ❖ The owner can choose to pay the fee annually during years three through ten or upfront with a discount. Something like 10% of the exemption would be a reasonable fee. The fee the City charged from 1989-2004 was collected annually during years three through ten to accommodate the project stabilization period each project experiences, which seems like good practice still, and
  - ❖ The fee could be waived at Council discretion in existing low-income areas (to be defined by specific metrics) due to both the economic feasibility implications and the Housing Dispersal Policy, in that any new housing there could be viewed as a public benefit. The metrics could include a certain percentage poverty and quality of sidewalks.

2. Additional feedback included:
  - a. LEED – is certification necessary or will building the project to the LEED standard be sufficient? The certification adds cost in hiring the third party and in architect expenses.
  - b. Adding rental units to the market helps overall affordability through increasing supply and relieving pressure on rents from the low vacancy rate. The rental market is growing as people have left homeownership and with growing senior population. The primary goal to create more rental units is a community benefit.
  - c. Project Feature: Community Space – In the November 18 Council draft, community space is a project feature within the Additional Public Benefit Criteria. Is community the people living in the development or is it the surrounding area? Providing space for the surrounding community would be challenging. Either way, the wording should be changed for clarity.
3. Committee members requested staff send them a copy of the February 10 City Council work session Agenda Item Summary.

**Developer Stakeholder Group – MUPTE Program**

January 16, 2014 from 3:00 – 5:00

Atrium Building – 99 W. 10<sup>th</sup> Ave., Sloat Room**ACTION SUMMARY**

*Group Members Present:* Bill Morris (Home Federal Bank), Corey Dingman (appraiser; Duncan & Brown Real Estate Analysts), Dan Neal (developer), Rob Bennett (developer), and Jean Tate (developer)

*Group Members Invited but Unable to Attend:* Hugh Prichard, Mark Miksis, Greg Brokaw

*Staff present:* Denny Braud, Amanda Nobel Flannery, and Robin Hostick

Group members discussed the seven areas highlighted in the briefing memo. Generalized conclusions include:

- ❖ Project Need: 10% overall cash on cash threshold seems reasonable.
- ❖ Panel: Should include an experienced developer and an architect.
- ❖ Density: Promote density within reason. OK with 175% over minimum and the other parts presented. It is possible to do 35 units per acre with 3-stories.
- ❖ Affordable Housing: Fee (instead of units) paid annually (but not during the first 3 years) or paid upfront at owner's choice; western areas exempted based on metrics.
- ❖ Green Building: Do math to determine financial impact of LEED v4 on a project. Western areas exempted based on metrics.
- ❖ Financial Reporting: Yes, fine.
- ❖ Project Design: ok.
- ❖ Local Hiring: percentage contract (instead of on-site jobs) because local firms hire local workers as a regular course of business. 50% reasonable with process for exempting trades not available locally.
- ❖ Program Volume Cap: Include it with the annual review that the panel does to monitor closely.

**PROJECT NEED**

- Capping the return but not capping the downside; chips away the value of the exemption.
- 5% vacancy on campus; 8k units. 1,600 next year; 3k year after. Citywide vacancy would guess that it's under 5%. 2-3% overall vacancy a few years back.
- Property tax is 8-12% of gross income.
- Apartments not feasible now except Coburg Road and suburbs. Suburbs projects are not always high quality. Example of good quality suburb project discussed: \$1,450/month for 2-bedroom, feasible because property was owned for many years prior to development.

**GREEN BUILDING**

- LEED 2009 adds about 5% to the cost of the project but it depends upon the scale of the project. The larger the project the smaller the percentage addition. LEED requirement makes it tougher for small developers.

- Oregon Energy Code is also changing. LEED 2009 for Mid-Rise requires energy features to be a certain percentage above state energy code.
- LEED as a MUPTE public benefit is an important part of the MUPTE application. Several projects wouldn't have done LEED without the MUPTE. They would have done Earth Advantage on non-MUPTE projects with EWEB's help.
- Western boundary areas (West 11<sup>th</sup> & Trainsong) should not have to do LEED.
- A cost estimate is important to understand LEED v4. Measure the difference in cost between meeting code and meeting the MUPTE criteria requirement. Determine cost to build to code vs. LEED compared to MUPTE. When the Tate was built, they priced out the extras and got to over \$300/sqft, which was too much.
- Support for a project being able to increase the number of years by doing more.
- Due to LEED v4 being new, make LEED an option (additional public benefit) and not a requirement (minimum threshold criteria).
- Non-LEED materials choices also add cost (e.g. granite countertops). Different selection of materials is different for different target markets/areas. Greenfield development is feasible in Portland, which could explain their requiring LEED.

## **DENSITY**

- Podium and parking underneath and afford an elevator MUPTE can make a difference. Big difference in cost when you get up in height. You can get 50 units/acre within that height limit.
- Be careful with formulas.

## **PROJECT DESIGN**

- Reasonable and ok to be subjective. Willing to do it.
- So squishy. If you want pictures submitted to be what's built, put rendering in the resolution. The word "legacy" is worrisome. How many buildings can be that?
- It will be broad. Worry about change orders during process. Need some flexibility.

## **AFFORDABLE HOUSING**

- 100% AMI for provided units is the appropriate level but should not be required. Make affordable housing part (fee or units) additional public benefit and not a minimum threshold criteria. Rental housing program fee structure works well at \$10/unit. Section 8 vouchers 5% of units available.
- Asking for money back is a hard case to make. I believe in landbanking. Section 8 idea wouldn't work because management and reporting requirements are different.
- Not upfront so it's easiest and not during first years because that's when the project struggles the most. Give the owner the choice of paying annually or upfront.
- Annual payment comes with an added cost to administer.
- Do the math and calculate the area median income vs. market rent and make the fee equal the difference. This also chips away at the value of the exemption; big deterrent to make the tool work.

## **LOCAL HIRING**

- 50% contracts local rather than on-site labor.
- Developers in the room always used local people. Ability to get exemption if trade not available (or not enough available) locally. Benchmark of 5 years and earn from there.
- Not enough local sheet rockers for the Tate.
- Cost implications. Project needs to be able to do what is cheapest. 50% of bids local as long as competitive.
- Give as much priority as possible to as local as possible. Plumbing and electrical hugely important for multi-family development.
- MUPTE alone is not enough of a tool to compensate for market conditions that make multi-unit housing infeasible. It's not that strong of a tool.

## **PROGRAM VOLUME CAP**

- Review it periodically (annually). Don't want to overbuild or to have not enough progress made toward Envision Eugene goal.

## **BOUNDARY**

- Hard to be across the street from the boundary and not be included.
- Would like the mid-town boundary to be extended further west.
- Currently, it's not feasible to build multi-family in South Willamette. 1 project on South Willamette. Ask the developer if they would do it again and they would say no. With MUPTE, they would say maybe. The market changes the moment you build.

## **STUDENT HOUSING**

- The old housing in WUN is a problem.
- Excluding campus may not be a great idea. We want high density where people won't drive, which is the R4 near campus. 1960s stuff. Political move to exclude it. Student housing over built and taking away stable flow for local workers.
- The first one to develop takes a huge risk.

### Construction Stakeholder Group – MUPTE Program

- Part 1:** January 17, 2014 from 9:00 – 10:00; Atrium Building – 99 W. 10<sup>th</sup> Ave., Saul Room  
*Present:* Jon Texter (Essex Construction), Shaun Hyland (Hyland Construction), and Michelle Cross (Harvey & Price)
- Part 2:** January 22, 2014 from 11:00 – 11:45; Atrium Building, First Floor Conference Room  
*Present:* Jeremy Reynolds (Reynolds Electric) and Steven Leuck (Contractors Electric)
- Part 3:** January 22, 2014 from 3:30 – 4:30; Atrium Building, Room 210  
*Present:* Pat Smith (Painters Union)
- Part 4:** March 7, 2014 from 11:30 – 12:30; Atrium Building, First Floor Conference Room  
*Present:* Tyson Stuber and Jeff Harms (both from the Pacific Northwest Regional Council of Carpenters)

*Staff Present at all meetings:* Denny Braud & Amanda Nobel

### ACTION SUMMARY

Group members discussed the seven areas highlighted in the briefing memo. Generalized conclusions include:

- Overall Issue: Benefit the local community as much as possible.
- Onsite Jobs vs. Contract \$ Volume: Percentage of dollar volume of contracts (instead of on-site jobs) because local firms hire local workers as normal course of business and tracking the many workers per project would be extensive.
- Required Outcome: 50% minimum for percentage dollar volume of contracts is reasonable with a process for exempting trades not available locally.
- Definition Local: Lane County preference; State ok.
- Good Faith vs. 3<sup>rd</sup> Party Certified: Good faith given nature of the process.
- Women & Minority Owned Business Bid Solicitation: Documentation of advertising, which is the industry standard.
- Questions:
  - How do you determine if a firm is local or not? HQ or branch office? How long does the business need to be located in the area?
  - How much of a discipline can be subcontracted? Does the subcontractor need to be local?

### OVERALL ISSUE TO ADDRESS

- 2007-2010 lost a lot of people. Challenged to get young people interested. It's not that people are unemployed in the area. Industry does pay well.
- 2008 lost a lot of workers. Apprenticeship program had been producing 30-50 trained folks per year. Program takes four years. We are 3-4 years from being back to capacity. Not a lot of unemployed electricians right now.

- Key is return to the community. Local hire keeps money here. We could attract what is needed. Labor is available and qualified. All experiencing high levels of unemployment around 50%. Some moved away or doing other things. Intel has been a savior but it's artificial. There is \$40M of rebar sitting in Eugene that people ordered. Indicator of future possibility.
- Want wage and tax laws to apply to MUPTE & all City contracts. Follow the laws or lose the exemption.

#### **ON-SITE JOBS VS. CONTRACT DOLLAR VOLUME**

- Percentage goal is an easy solution and good. Focus on local companies because they're the ones paying taxes. Good to include professional services e.g. landscape architects. Boom time will require bringing in outside folks. Subcontractors could send list of who they hired. May be cheaper to hire someone from Portland and get less tax exemption.
- Local tax exemption so should encourage local company that will pay taxes and keep certain percentage of the benefit local. Other areas focused on percentage labor and gradually added it in. Maybe higher percentage local gets longer exemption period. Create a prescreened list of businesses that are certified to be based locally and to hire locally.
- How do you determine if a firm is local or not? For example, a firm that has local office but out of state headquarters. The profit goes to the headquarters. Should extend to professional services also. Monitoring on-site jobs would be a nightmare. People move. Construction industry workers generally are transient. Dollar volume labor not materials. Materials don't come from Oregon, e.g. elevator. Measuring localness of materials gets iffy. Don't want it to be huge monitoring and reporting effort.
- Location of workers in Eugene not as great as it sounds. Makes harder for local firms. Non-local firms hires locals away from local firms. Local residency should be focused on the firm. Local firms will hire local almost exclusively and keep money local. Local firms may have 5% out of city over the years. Better to have local. Then you don't have to wait until the next day for truck to come. People working on year or longer project will rent a place here and be "local." General contractor and MEP will be 50% plus of the project dollar volume. (MEP = Mechanical Electrical Plumbing each with about 10%.) Signage or ornamental metal may have to go out of area. A&E must be registered in Oregon (state law).
- Vast majority of materials for Mat Knight Arena came from out of state. Much easier to manage/enforce requirement that contractor be local. Not suggesting local tied to materials because of logistical issues. Materials tracking would be hugely burdensome. Do by dollar volume and not number of contracts. Lots of electrical companies here. Some trade types aren't available locally. Architect is about 5% of a project cost.
- Construction is transient industry. Local contractor could be one with history in the area, e.g. CCB# from a year prior to the GC RFP. That's when the project is a go.
- Capstone added a \$75k/day overage fee, which made all local bidders back away. Business as usual in the industry is to cheat. BOLI fines are too small. Local contractors have their reputation on the line and skin in the game; they are less likely to cheat. Initially, preferred that the focus be on the residency of the worker but ok with requiring local firm. Local firms hire local workers.

#### **REQUIRED OUTCOME (% TO TARGET or PROCESS-ORIENTED)**

- 20% starting place with goals to tier it up is what other cities have done, e.g. San Francisco 20% and saw 34%.
- 50% reasonable goal. Largest dollar volume contracts: Electrical, plumbing, framing, concrete, drywall. All available locally now except framing.
- What makes a project big vs. small is a combination of deadlines and size. If things are good, \$15M and less: 50% local Oregon. You could hit 100% Oregon almost.
- Requiring apprenticeship elements wouldn't be fair because it would bias union. Percentage of Lane County labor should be as high as possible... 80%. Certainly above 50%. Percentage shouldn't

be locked in. Look at it on a case-by-case basis. With a basement for sure, like 50%. Tiered to get longer exemption.

- 75% of onsite workers should be local to Oregon, with previous 1-year of residency. Supporting apprenticeship programs generally is the goal; don't need apprentices to be on every MUPTE project site.

### **TRADES NOT AVAILABLE LOCALLY**

- Framing pool in town only has one guy. Certain trades available in region, like Medford or Portland. Size of project impacts specialty work available. Housing is a different group of trades. Framers, drywall, counters, flooring single family doesn't translate to multi-family.
- Some trade areas are deficient.
- We needed to tile 300 bathrooms... we got people from Portland because we don't have that supply locally. It's not that far away. Workers come and rent hotel rooms.
- Shortage in licensed crafts (pipe fitter).

### **DEFINITION OF LOCAL**

- Keep money in Lane County at least.
- Oregon not Lane County.
- Lane County best. Statewide is better than what we have now. Portland businesses are geographically disadvantaged to do work here.
- Grocery store mentality. But also disadvantaged from distance.
- Would love for Lane County to be the definition. But state is good fall back. State is fair enough as MUPTE is authorized by the state.

### **GOOD FAITH VS. 3<sup>RD</sup> PARTY CERTIFIED**

- Needs to be good faith.
- Developers don't want to spend money until ducks in a row. Hiring to happen after MUPTE approved. Requiring good faith effort makes sense for them to sign on the dotted line about what they will do in the future.
- Self-certifying is much better. Could have penalties if found to have not provided the truth.

### **WMOB**

- Advertising. Standard practice. Provide copies of ads to prove it.
- Require the contractors be approved training agent in the state of Oregon by BOLI, which requires meeting set goals for minority participation efforts.

### **CERTIFIED PAYROLL**

- Not simple in any form or fashion. The group of subs is more residential and not familiar with certified payroll. Would get huge resistance to this being required.
- Require certified payroll, which would remind the contractors whether subs were following ratios. Wage and hour law accountability. Will keep abusers from applying for MUPTE projects. Self-policing measure. GC collects per payroll period. Self-certified.
- That's what is done for public projects. Would eliminate certain bidders (ones that are smaller or not setup to do public contracting). Adds cost to the GC. Logistical nightmare.

### **GREEN BUILDING**

- Current LEED 2009 mid-rise Silver doesn't add much in cost above code. Gold/Platinum 2009 does add cost. Reporting drives admin cost up. About 5% premium for larger projects.

### **AFFORDABLE HOUSING**

- Pay fee. MUPTE helps mitigate cost of redevelopment.



## MISC.

- Review Panel is an excellent idea. Tyson Stuber is willing to participate on the panel. Already policing projects. Wants to partner with us. Has resources to monitor every project. Would be at no cost to City. They do background checks and employee statements. Union access or “assault” access.
- Dry wall, concrete, piling, carpentry. They’re helping startup non-profit with UO – Habitat to Humanity. They’re on the board.
- Example: The Hub plumbing bid done without knowing the labor laws in Oregon \$145 vs \$100/sqft.
- There can be a cost issue for local. Most successful programs from research of other cities were ones that had a tiered point system.
- Cost issue compared to Southeast where labor works for \$10/hr and is paid under the table. Energy Code and seismic required here and not in the southeast. Here we can only work from 7am to 7pm (city ordinance). In Arizona, they work 2 shifts.
- Reynold’s Electric has benefitted from MUPTE projects. \$14M of multifamily work in the last 5 years that would not have happened without MUPTE.

**Human Rights Commission Subcommittee – MUPTE Program**

April 4, 2014 from 9:30 – 10:30  
Atrium Building – Human Rights Office

**ACTION SUMMARY**

*Subcommittee Members Present:* Deb Merskin and Philip Carrasco

*Staff present:* Michael Kinnison, Lorna Flormoe, Denny Braud, and Amanda Nobel Flannery

Committee members discussed the local hiring and labor related criteria and, ultimately, recommended that:

- ❖ Language from the Universal Declaration of Human Rights be incorporated in the MUPTE criteria:
  - *Article 23, Subsection (2)* Everyone, without any discrimination, has the right to equal pay for equal work.
  - *Article 23, Subsection (3)* Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
  - *Article 2.* Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.
- ❖ The MUPTE review panel include someone from the Human Rights Commission, labor and/or from the University of Oregon PPPM program.
- ❖ Information on the City's existing Rights Assistance Program be made available as a resource for jobsite workers.
- ❖ Staff check-in with BOLI on labor violations during and after construction of MUPTE projects and include results in the review panel annual report. Whenever possible involve the MUPTE review panel in mid-construction review with time for proactive course correction of any items not being upheld.

**Envision Eugene Technical Resource Group  
Meeting Summary Notes  
12/5/13 & 1/30/14**

**December 05, 2013**

**Attendees:** Shawn Boles, Rick Duncan, Ed McMahon, Mia Nelson, Laura Potter, Sue Prichard, Joshua Skov

**Staff:** Denny Braud, Carolyn Burke, Lou Christofferson

**I. Presentation of Proposed MUPTE program to TRG (Denny)**

- The proposed MUPTE program criteria will go back to council on 2-10-13.
  - Several stakeholder groups, including the TRG, will review the proposed program prior to the next work session. Program criteria, scoring/duration, and boundaries will be focal points.
- Denny provided an overview of the MUPTE scorecard example (yellow handout) which contains minimum threshold criteria, additional public benefit criteria, eligibility scoring, and general financial measuring.
- Denny described the proposed MUPTE Program criteria in more detail by providing a brief explanation of each requirement (white handout: Attachment A)
- Denny also made the following clarifications:
  - **Project Need:** Project need would ultimately be determined by a third-party MUPTE Review Panel. This panel is described in the “Other Program Features” section of the handout.
  - **Project Design:** A key goal of the Project Design requirement is to ensure developers build what they say they will and do not value-engineer features that are important the community out of the project. Meeting this requirement would be contingent on approval from Council and the MUPTE review panel.
  - **Affordable Housing:** The option to pay an annual fee in lieu of providing affordable housing is still a concept at this point. Staff is still working through the specifics of determining an appropriate fee.

**II. General MUPTE Discussion**

- Rick recommended that any model used to determine expected return on a project is well-defined and specific enough to mitigate the use of misleading accounting on pro-formas.
- Josh mentioned that scorecards used for programs such as LEED and MUPTE have a tendency to be gamed and often produce projects that fall short of expectations.
- Mia asked if the proposed MUPTE program would assure that the 1600+ units needed for MF housing would be built. She asked if staff could verify this using the Redevelopment Estimating Tool.

- Mia stressed that the purpose of MUPTE should be focused on getting these additional units built and that some of the proposed requirements should be paired down so that the program remains feasible and attractive to developers.
- Sue suggested that the scorecard be reserved for measuring only the crucial goals of Envision Eugene and reducing or removing less critical requirements.
- Mia asked if restricting maximum allowed parking could become part of the MUPTE criteria, citing the parking garages at Capstone as a feature the City should not invest in.
- Laura stated that the Additional Public Benefit Criteria section of the scorecard may be too confusing. Requiring developers to meet minimum criteria, allowing them to extend the duration of MUPTE by exceeding these criteria in certain areas, and then giving them the option to buy their way into achieving points may be more complex than necessary.
- Rick noted that the proposed criteria appeared to be focused on rental-based multi-family housing and should also support owner-based multi-family developments, such as the Tate.
- Mia mentioned that requiring local labor will likely drive construction costs up. She recommended the City quantify or estimate these cost and determine whether or not it is something they are willing to invest in.
- Rick suggested that monitoring remains flexible so that projects that are not meeting minimum returns can keep the MUPTE for a longer period of time and vice versa.
- Denny added that it is important that any criteria that allows for the early termination of a MUPTE based on financial return is very clearly defined.
- Rick noted that the MUPTE program should be able to evolve and shift over time so that it does not continue to support housing types that eventually lose the need for public investment, such as student housing.

### **III. Density Requirement**

- Rick noted that a minimum density for multi-family housing on commercial land should be established.
- Mia and Rick agreed with the proposed density requirement that MUPTE projects should have substantially higher densities than minimum requirements.
- Rick stated that density could also be addressed by reducing some code requirements such as parking.

### **IV. Project Design**

- Rick stressed that redevelopment needs to be encouraged to occur wherever there are opportunities. As such, any design standards and their associated cost premiums need to be addressed to match market conditions relative to location.

- Ed agreed that there was a risk that design standards tend to be subjective and need to be applied carefully.
- Shawn and Josh reiterated that it is important to ensure that project features used to meet design requirements are not value-engineered out after a MUPTE is approved.

## **V. Green-Building Requirement**

- Josh noted that the requirements behind achieving LEED Silver [2009] are not much more rigorous than what is currently required by code. The MUPTE program may want to pursue a higher standard for green-building.
- Ed agreed with this and went on to say that while he supported a third-party certification for green-building, requiring LEED specifically may be too costly to justify and may not even be the most appropriate program for the local economy.
- Lou mentioned that staff has done some preliminary analysis on cost premiums associated with LEED [2009] certification. He noted that basic certification [LEED 2009] typically has zero cost impact on multi-family projects and that while LEED Silver [2009] certification does not impact construction cost, it does add an average of about 0.5% to the overall project cost for additional engineering and record-keeping.

## **VI. Affordable Housing Requirement**

- Mia mentioned that the affordable housing requirement in the proposed MUPTE program is temporary (10 years max) and that the fee option may actually be a more effective method for meeting this need.
- Sue agreed that requiring affordable housing as part of MUPTE will not get the desired result.
- Laura mentioned that she did not feel the affordable housing requirement should be part of the MUPTE Program. Portland, unlike Eugene, has an existing market for multi-family housing development which allows for the affordable housing component to be required. She suggested that if affordable housing was removed from MUPTE, the exemption period for projects could be reduced to less than 10 years.
- Sue agreed it is important that a proper perspective is kept when comparing market conditions in Eugene to those in Portland.
- Laura supported a scenario similar to the HUB project, where money is paid back to the city, which could be reserved specifically for affordable housing, in exchange for a MUPTE.
- Josh and Laura mentioned that new MUPTE projects could increase the affordability of existing housing developments by driving down rent rates.
- Rick noted that in his experience, new multi-family development does not significantly impact the rental-rates of existing housing developments.

## **VII. Future Agenda Items**

- MUPTE boundary discussion

- MUPTE effectiveness: Does the proposed new program and boundary help provide the needed additional 1600+ units for Envision Eugene based on the redevelopment estimating tool?
- Efficiency measures: How are they defined and what are the potential impacts?
- Pillar seven: How will this component of Envision Eugene work?
- How are SDU's accounted for in the LDR redevelopment rate?

**Meeting adjourned**

## Envision Eugene Technical Resource Group January 30, 2014 Meeting Summary Notes

**Attendees:** Shawn Boles, Sue Prichard, Mia Nelson, Ed McMahon, Josh Skov  
**Staff:** Carolyn Burke, Robin Hostick, Heather O'Donnell, Denny Braud

Heather confirmed that staff has been able to meet with those not in attendance at the January 9, 2014 (Josh, Ed and Laura) regarding the draft monitoring documents.

### I. MUPTE Boundary

- Denny provided an overview of the draft MUPTE boundary that will be presented to Council. Staff is seeking feedback from several groups and individuals, including the TRG;
  - Generally follows the Downtown Plan boundary, but includes some surrounding areas; need to add several other areas near downtown, for example the EWEB redevelopment parking lots north of 4<sup>th</sup> Avenue
  - Includes mid town and south town commercial and multifamily areas
  - Follows the previous adopted Trainsong MUPTE boundary
  - Council added the w. 11<sup>th</sup> corridor
- The following suggestions were made:
  - Ed- include River Road, remove Trainsong railroad yards.
  - Mia- Need to clarify to Council that vacant lots would also be eligible for MUPTE, not just developed commercial and multi-family lots where MUPTE is necessary to facilitate redevelopment
  - Shawn- Add Franklin and Coburg area, let Council make the decision to remove those, these areas have a lot of housing potential.
  - Shawn- Close gap between downtown and South Willamette, including the Civic Stadium site, and add areas north of river
  - Josh- Add all the corridors and include commercial areas like Valley River Center and 18<sup>th</sup> & Chambers; this would support the long-term big picture of Envision Eugene
  - Shawn- show the connection of the MUPTE boundary to encouraging housing near transit; ¼ mile from transit corridors, existing/planned EmX lines
- Mia suggested running the MUPTE boundary through the Redevelopment Estimating Tool to determine whether the multi-family deficit would be accommodated if MUPTE was applied in this area or if the boundary needs to be increased.
  - Robin- This analysis has been done; MUPTE was generally applied to all the areas that the Red. Est. Tool indicates are closer to redeveloping, with the exception of Franklin. The Red. Est. Tool tell us that we need MUPTE as well as other investments such as adjusting SDCs to get the amount of redevelopment needed.
- The group discussed whether the boundary should be added to Industrially zoned sites along corridors.
  - Shawn- Whiteaker area example
  - Robin- Current MUPTE boundary criteria include lots with zoning that allows multi-family housing, near transit, creating a continuous boundary in an area.

- Denny - After staff receives more feedback, they will do a more fine-grained analysis
- Heather- Current industrial zoning standards don't allow multi-family, there are allowances for housing an on-site security apartment such as with storage facilities
- Carolyn clarified that the schedule is that Council will complete review of the new MUPTE boundary this summer which means the discussion will be completed prior to adopting the UGB.
- Summary: Make the connection between developing around transit and MUPTE clear, add more of the Envision Eugene corridor/commercial areas

## II. Secondary Dwelling Unit (SDU) Estimates

- Heather provided an overview of the question regarding whether or not the capacity analysis needs to be revised to include a baseline redevelopment estimate for SDUs;
  - The TRG's previous analysis of SDUs (June 2011) was related to staff's efficiency measure estimates; reviewing the methodology for estimating how many additional SDUs might be gained through efficiency measures such as reducing permitting fees. The estimates were based on the number of SDUs seen on average from 2001-2008, rounded, and the assuming a 50% increase.
  - A baseline SDU capacity has not been previously discussed. There is an argument that some of the baseline SDUs are accounted for in the density estimates because they are based on all address points. However, the density estimates are only applied to vacant and partially vacant land and there's an argument that most SDUs in the next 20 yrs would occur on developed land.
- Ed- SDUs have already been discussed, the time has passed on this issue.
- The group discussed the currently proposed single-family code amendments (SFCA), including SDU standards
  - Sue- the incentive needs to be significant or illegal SDUs won't stop; these are a big issue
  - Shawn- it needs to be more costly to create an illegal SDU
  - Carolyn- Council is scheduled for action on the SFCA and discussion of initiating a re-designation of the Coburg Road (Benson) property. The SFCA include more easily enforceable SDU standards.
- Mia clarified that the LDR baseline redevelopment methodology was based assuming that the number of new lots created on lots less than 1 acre would continue into the future; thus the issue of capacity created from SDUs which don't require a land division was never reviewed by the TRG.
- Shawn stated that resources should not be diverted to specific areas/hot issues right now when we are trying to complete a larger community-wide planning effort.
- Sue stated that the University area is seeing great pressures around infill issues.
- Ed stated that since the TRG completed its originally work the expansion amount has been continuously chipped away and he's concerned that if there's no expansion we'll push development to the smaller cities.
- Heather asked whether the group had an issue with changing the LDR baseline redevelopment method based on lots, by adding another baseline redevelopment estimate based on SDUs.



- Summary: Josh, Sue and Mia felt a baseline redevelopment estimate for SDUs should be included, using the average seen per year historically without rounding (8.5), Sue had no opinion and Ed did not think a baseline redevelopment for SDUs should be added.

### III. Monitoring- questions regarding 1/9/14 monitoring documents

- Mia asked if an acceptable range was going to be identified for each indicator so it is clear when the indicator is off?
- Shawn agreed but that that range would just be a trigger to do a more detailed review.
- Josh suggested the following:
  - Keep track of how we've been wrong in our projections so we can learn from them when we make new projections
  - Not "indicators" but is a list of "inputs" and "outputs"
  - Using a 5 yr moving trend is hard to explain; would rather see the raw data and have the focus be on that
  - Need a regular advisory commission; quarterly meetings wouldn't even be enough to keep institutional memory and get beyond refresher-level meetings
- Shawn- institutionalize Pillar 7, such as through an advisory group
- Josh- triggers for more detailed review might be hard to identify now; use the spreadsheet to identify which inputs have the biggest impact and highlight those as triggers for now
- Mia- we will need to be able to answer if we can get back on track for instance if multi-family redevelopment numbers are coming in low; what are the actual dwelling units seen/ if it's less than expected/ how many do we still need to meet in the remaining years/ what would the increased yearly average be that we'd have to achieve in the remaining years/ is that realistic?
- The group agreed that we should identify which inputs/outputs have the biggest impact on UGB planning; such as population
- The group agreed to look at how the HB 2254 new UGB process provisions might impact Eugene's Growth Monitoring Plan, such as how often can Eugene redo its UGB analysis?

### IV. Tentative 1/30/14 agenda:

- Discuss HB 2254 (new UGB planning process) and its implications on monitoring
- Discuss which indicators (inputs/outputs) have the biggest impact & should be monitored
- Discuss/review spreadsheets for projecting trends

The 1/9/14 meeting notes were confirmed and will be posted to the TRG webpage.

**Meeting adjourned**

# Memorandum

Date: November 15, 2013  
 To: Mayor Piercy and City Council  
 From: Envision Eugene Technical Resource Group\*  
 Subject: **Technical Summary – Updated Redevelopment Target for Multifamily Housing**

## Background

The Envision Eugene Technical Resource Group (TRG) convened between January 2011 and March 2012 to provide independent review and discussion of technical analysis informing the March 2012 Envision Eugene (EE) Recommendations. Since that time, new information has become available regarding the proposed target for multifamily housing that, according to Council direction, will need to be built through redevelopment to meet the community's needs over the next 20 years. By request of the membership, the TRG re-convened this fall to review this information.

This memorandum summarizes the result of the following analysis reviewed and discussed by the TRG:

- Updated Buildable Lands Inventory (BLI)
- Additional review of multi-family redevelopment since 2001 to identify student housing and projects completed with the support of public investments
- Summary of expected multi-family redevelopment as of October 2013, including student housing
- Updated “unmet need” target for MF redevelopment, considering the above
- Analysis of community investment “scenarios” needed to achieve target

In addition, the TRG requested a high-level estimate of other ways to meet the community's multifamily housing need inside the current UGB if community investments are not made available.

## Analysis

### Buildable Lands Inventory Update

Estimates of remaining buildable land used to inform the March 2012 Envision Eugene Recommendation were based on land use data from 2001-2008. Since that time, updates have been made to the Buildable Lands Inventory (BLI) as well as key assumptions for land demand, supply, and capacity to include data from 2009-2012. Capacity on buildable lands for multi-family housing (medium and high density residential) remained largely unchanged due to the balancing effect of key factors. For instance, the supply of high density residential land decreased at the same time historic/baseline redevelopment rates increased. As a result, the target for multi-family redevelopment that will need to be achieved through community investments was not significantly affected by these factors.

### Past Multi-family Redevelopment Analysis

To help inform ongoing discussions around community investment tools, staff initiated an analysis of past redevelopment projects in Eugene since 2001. The goal was to identify student housing projects as well as projects which were built with the support of community investments, for example the Multi Unit Tax Exemption (MUPTe) or other investments available through the City's affordable housing program. During the study period, no multifamily redevelopment could be identified which has occurred in Eugene without community investment which is not student housing.

### Multi-family/Student Housing “Pipeline” Analysis

In light of the recent and continued boom in student housing development, the TRG undertook an examination of how this would affect the multifamily redevelopment target. At the request of the TRG, staff analyzed student housing redevelopment projects in the “pipeline” (planned and/or permitted but not yet completed as of 12/31/12) according to evidence such as permit records and staff consultations. The results indicate we can expect an additional 1178 units to be built in the near future, including in-progress development such as Capstone.

## **Findings**

The previous “target” estimate for multifamily housing needed through redevelopment relied upon historical analysis of redevelopment trends. Since this time, two key factors have changed.

First, the University of Oregon has revised its student population growth estimate downwards from 4,000 to zero. Since we cannot assume the student housing trend to continue at historical rates without growth in student population, the TRG recommended removing student housing from redevelopment estimates. In reality this trend may continue for other market reasons, however new housing can be accounted for by monitoring actual progress of multifamily construction. Any expected student housing, for example that is identified through the “pipeline” study, can also be deducted from the remaining “target” for multifamily housing.

Second, the “redevelopment estimating tool” used to project redevelopment on commercial property (vs. multi-family designated property) indicated the highest likelihood of redevelopment in the near-university area. The “pipeline” estimate showed the vast majority of in-progress redevelopment in this same area. To avoid double counting, the TRG recommended subtracting the estimated redevelopment capacity in the near-university area from the “pipeline” capacity (i.e. this redevelopment is already occurring). In addition, since no non-student, non-subsidized multifamily redevelopment could be identified since 2001 the estimated redevelopment capacity on commercial lands was revised downward by removing the previous assumptions of higher redevelopment under favorable (and unlikely) economic conditions.

In light of these factors as well as the above-described analysis, **the new target for multi-family redevelopment remains essentially unchanged at 1,594** (revised from the previous target of 1,626). This is the number of multi-family housing units that will need to be built through redevelopment supported by community investments over the next 20 years.

### Scope of Investments Needed

To better understand the scope of investments needed to achieve this target, several scenarios were examined. The redevelopment estimating tool used by the TRG prior to the March 2012 EE recommendations was designed to allow “what if” adjustments that could mimic a variety of economic conditions and interventions. Using this estimating tool, analysis results show that some combination of investment tools, for example MUPTE, tax-funded SDCs, below-market-rate sales and leases of government-owned property, and reductions in parking requirements<sup>1</sup>, will be needed to achieve the community’s redevelopment target. The results also indicated that, given the above-listed interventions, virtually all of the estimated redevelopment would occur in the downtown and Franklin Boulevard areas with a small amount occurring in the South Willamette area.

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<sup>1</sup> It has not been established to the TRG’s satisfaction that reduction in parking requirements has significant ability to enable redevelopment. The Capstone development had a zero parking requirement, yet was bound by financing constraints to provide 0.8 spaces per bed.

In addition, around 330 units of multi-family housing redevelopment are expected to occur in the Downtown Riverfront District (EWEB property) through interventions supported by urban renewal funds. The proposed Obie project downtown, which was facilitated by a long-term below-market-rate lease from Lane County, will also contribute housing if the developer elects to proceed with the project.

### Alternatives

The TRG looked at hypothetical alternatives for accommodating these 1,594 units of multi-family housing inside the current UGB in the absence of investment tools. Two scenarios were identified to illustrate the deficit: re-designating/re-zoning some single family property to multi-family along with upzoning some multi-family property, and/or increasing minimum densities on multifamily property. Re-designation is theoretically possible however nearly every vacant parcel of residential property within ¼ mile of key transit corridors and core commercial areas would need to be up-designated/up-zoned, or about 149 acres total. Alternatively, actual achieved densities would need to increase from existing levels 122% on medium density residential (MDR) lands and 163% on high density residential (HDR) lands, or from 10.7 units/acre to 13.1 units/acre and 21.5 unit/acre to 35 unit/acre respectively.

The TRG does not believe that an expansion of the UGB for multi-family housing could be a viable alternative, because the allowed expansion areas are so far from the services that multi-family housing needs (transit, jobs, schools, shopping, etc.), they would not meet Goal 10 requirements to provide suitable land for these uses. Expansion of high-density housing on the rural fringe would also undermine ongoing efforts to reduce vehicle miles travelled and meet state GHG reduction targets.

It is important to note that these alternatives DO NOT reflect current Council direction, a TRG recommendation, a staff recommendation, or the values and strategies of the 2012 Envision Eugene Recommendation.

## **Attachments**

- A. \* TRG Membership Roster 2013
- B. Residential Capacity and Need Summary Table, November 2013
- C. Supporting analysis can be viewed in more detail online at [the Envision Eugene Technical Resource Group web page](#), including:

October 31, 2013

- Multi-family Redevelopment 2001–2012
- Anticipated Student Housing Development – October 2013
- Vacant and Partially Vacant LDR and MDR Lands Near Corridors/Commercial Areas

October 3, 2013

- Impact of Financial Incentives on Operating Income and Project Cost for Multifamily Development
- Investment Tool Scenarios (revised November 2013)

## Technical Resource Group Committees

### Envision Eugene

#### Technical Resource Group Member List

Shawn Boles*	Eugene Sustainability Commission
Rick Duncan*	Eugene Planning Commission
Erin Ellis	Our Money Our Transit
Roger Gray	Eugene Water & Electric Board
Kevin Matthews	Friends of Eugene
Ed McMahon*	Home Builders Association of Lane County
Mia Nelson*	1000 Friends of Oregon
Gretchen Pierce	Hult & Associates
Laura Potter*	Eugene Area Chamber of Commerce
Sue Prichard*	Prichard Partners
Joshua Skov*	Eugene Sustainability Commission

#### Other participants:

Barbara Mitchell	Cal Young Neighborhood Association
Randy Hledik	Eugene Planning Commission

\* denotes currently active members as of November 2013

#### TRG Partially Vacant Lands Subcommittee

Rick Duncan	Eugene Planning Commission
Kevin Matthews	Friends of Eugene
Ed McMahon	Home Builders Association of Lane County
Mia Nelson	1000 Friends of Oregon

#### TRG Spreadsheet Subcommittee

Shawn Boles	Eugene Sustainability Commission
Rick Duncan	Eugene Planning Commission
Kevin Matthews	Friends of Eugene

#### TRG Commercial Redevelopment Subcommittee

Rick Duncan	Eugene Planning Commission
Kevin Matthews	Friends of Eugene
Mia Nelson	1000 Friends of Oregon
Sue Prichard	Prichard Partners

TRG Economic Development Subcommittee

Bill Aspegren	South University Neighborhood Association
Shawn Boles	Eugene Sustainability Commission
Rick Duncan	Eugene Planning Commission
George Grier	Lane County Farm Bureau
Dave Hauser	Eugene Area Chamber of Commerce
Kevin Matthews	Friends of Eugene
Mia Nelson	1000 Friends of Oregon
Jack Roberts	Lane Metro Partnership
Rusty Rexius	Rexius
Gary Wildish	Chambers Construction

# Envision Eugene Residential Capacity & Need Summary - November 2013

DEMAND	CAPACITY										TENTATIVE RESULTS		OTHER RESIDENTIAL LAND NEEDS			FINAL RESULTS
	DU <sup>2</sup> Demand (2) <sup>3</sup>	Vacant Capacity (5A)	Partially Vacant Capacity (5B)	Baseline Redevelopmt Capacity (5C)	Eff M: Other Capacity* (24)	Eff M: Zone Change MDR to LDR (24)*	Eff M: R-1 Efficiency Measures (24)*	SF Interim Protection Measures* (24)	Committed* Redevelopmt Since 2012 (24)	Redevelopmt Needing Interventions (24)	DU Capacity Surplus/(Deficit)	Acreage Surplus/(Deficit)	Acres for Employment Uses (11,14A)	Acres for Public Uses (17)	Acres for Group Quarters (10)	Overall Acreage (Deficit)
LDR <sup>1</sup>	8,754	4,307	3,008	627	0	770	123	(7)	0	0	74	19	34	109	6	(130)
MDR	3,255	2,280	2,272	220	90	(1,984)	0	0	0	591	214	20	10	4	6	0
HDR	3,096	1,045	555	240	0	0	0	0	325	1,003	946	44	8	30	6	0

COM --> 256

↑ Baseline estimate on COM in Franklin Area & Downtown from Redevelopment Estimating Tool

618 1,594

↑ Committed redevelopment on COM since 2012

## Table Notes:

<sup>1</sup> Metro Plan Designations: LDR (Low Density Residential), MDR (Medium Density Residential), COM (Commercial)

<sup>2</sup> DU means dwelling unit

<sup>3</sup> (2) means the number of the table that the estimate comes from in the Eugene Land Sufficiency Model spreadsheet

<sup>4</sup> Efficiency Measures draft estimates based on Single-family Code Amendments & Residential Re-designation proposed adoption packages in progress; estimates may change based on final adoption package

<sup>5</sup> Draft estimated Vacant & Partially Vacant capacity deductions due to Single-family Code Amendments University

Area Interim Protection Measures; estimates may change based on final adoption package

<sup>6</sup> Committed development includes the following projects that are under construction or are in the development pipeline

e.g. pending/issued building permit, pre-building permit application work:

### Committed High-Density Redevelopment (student housing) Since 2012

689 E. 19th Ave.	22
542 E. 12th Ave.	120
1875 Kincaid St.	7
712 E. 14th Ave.	28
Misc. Projects Issued Permits	148
<b>TOTAL</b>	<b>325</b>

### Committed Commercial/Commercial-Mixed Use Redevelopment (student housing) Since 2012

Redev Est on COM	(235)	← Baseline estimate on COM in Franklin Area from Redevelopment Estimating Tool
Core Campus	183	
Boulevard Grille Development	192	
1456 Willamette St.	3	
1167 Willamette St.	3	
Capstone Development	372	
Misc. Projects Issued Permits	100	
<b>TOTAL</b>	<b>618</b>	

Estimates to address deficit (1,961) if not addressed through redevelopment interventions:

(for illustrative purposes only)

### Upzoning scenario (number of upzoned acres needed):

MDR--> HDR	47
LDR--> MDR	102

### Densification scenario (% increase in density needed):

		current avrg	needed avrg
MDR	122%	10.7	13.1
HDR	163%	21.5	35.0

DRAFT: 11.12.13

## LEED Update

Included in this attachment is a brief overview of the recent changes to the US Green Building Council's Leadership in Energy and Environmental Design (LEED) certification system. LEED is a voluntary, market-based certification system that is periodically updated to address improvements within the building design and construction industry. In November 2013, the USGBC released LEED v4 after a three-year development period including an unprecedented four rounds of stakeholder involvement, including input from the over 16,000 member organizations and hundreds of thousands of LEED Accredited Professionals. Over the course of 18 months, projects will be able to utilize either the LEED 2009 or the LEED v4 system, ultimately stopping LEED 2009 project registration in June 2015.

A complete list of changes in the LEED v4 system is provided on the following page. A high-level summary is that the v4 system requires more performance outcomes instead of prescriptive measures, emphasizes greater transparency for products, advances a shift towards a life-cycle perspective in products and the building, measures the comprehensive environmental impacts from a project, requires less documentation, and increases the rigor in obtaining certification.

A rough breakdown would include the following approximate conclusions:

- LEED 2009 Silver Certification = LEED v4 Certification
- LEED 2009 Silver Certification = Oregon Energy Code <sup>1</sup>
- LEED v4 Certification = 5% over Oregon Energy Code <sup>2</sup>

Because of the increased requirements in LEED v4, the new system will meet the intended environmental performance goals more readily, but with an increased cost. USGBC Regional Partners, local chapters, and member organizations are continuing to conduct research on the performance outcomes and cost implications of the new system. Staff has reviewed research on a suburban office building, a hypothetical test case multi-use building, and is working on obtaining analysis on a previously constructed multi-family project. Preliminary research indicates the increased cost for a large project to be roughly 6% above baseline code construction cost or 1.5 – 2% above LEED 2009 Silver construction costs.

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<sup>1</sup> LEED 2009 utilizes the ASHRAE 90.1-2007 standard. The 2010 Oregon Energy Efficiency Specialty Code (2010 OEESC) utilizes the International Energy Conservation Code as the baseline, which is comparable to the ASHRAE 90.1-2010. Thus, a building pursuing LEED 2009 and built to Oregon Code, would automatically be ~12% more efficient than the baseline, thereby achieving 1 Pre-requisite credit and 2 optional credits in the Energy and Atmosphere (EA) category. Now the same building built to Oregon Code and pursuing LEED v4, would need to increase its energy performance by 5% to just meet the minimum EA requirements (1 Pre-requisite credit).

<sup>2</sup> LEED v4 utilizes ASHRAE 90.1-2010/IECC 2012 as the baseline, which is the same performance standard as OEESC 2010 (Oregon commercial code).



## LEED v4 for Building Design & Construction

Summary of changes from LEED 2009

Prerequisite	Integrative Project Planning and Design (Healthcare Only)	<ul style="list-style-type: none"> <li>Credit language clarified.</li> <li>Charrette requirement adjusted from 8 hours to 4 hours.</li> </ul>
Credit	Integrative Process	<ul style="list-style-type: none"> <li>New credit.</li> <li>Encourages early analysis of energy and water systems to inform design.</li> </ul>
LOCATION AND TRANSPORTATION		
Credit	LEED for Neighborhood Development Location	<ul style="list-style-type: none"> <li>New credit.</li> <li>Encourages selection of a LEED ND certified site.</li> <li>Gives project teams a streamlined path to earn LT points.</li> </ul>
Credit	Sensitive Land Protection	<ul style="list-style-type: none"> <li>Credit title renamed from "Site Selection".</li> <li>Credit language clarified.</li> <li>Option for projects located on protected sites to earn credits through sensitive land best management practices.</li> </ul>
Credit	High Priority Site	<ul style="list-style-type: none"> <li>Credit incorporates requirements from "Brownfield Remediation".</li> <li>Encourages selection of sites with development constraints.</li> </ul>
Credit	Surrounding Density and Diverse Uses	<ul style="list-style-type: none"> <li>Credit title renamed from "Development Density and Community Connectivity".</li> <li>Multiple thresholds to reward different density levels and amounts of diverse uses.</li> <li>Projects earn points in the density and the diverse uses options separately.</li> <li>Warehouse and distribution center requirements added to encourage development near commercial or industrial sites or near transportation infrastructure.</li> </ul>
Credit	Access to Quality Transit	<ul style="list-style-type: none"> <li>Credit title renamed from "Alternative Transportation—Public Transportation Access".</li> <li>Multiple thresholds to reward varying transit service levels.</li> <li>Metric of radius changed to walk distance.</li> <li>Frequency of transit included in metric.</li> </ul>
Credit	Bicycle Facilities	<ul style="list-style-type: none"> <li>Credit title renamed from "Alternative Transportation—Bicycle Storage and Changing Rooms".</li> <li>Added a requirement to be located at a bicycle-accessible site or bicycle network.</li> </ul>
Credit	Reduced Parking Footprint	<ul style="list-style-type: none"> <li>Credit title renamed from "Alternative Transportation—Parking Capacity".</li> <li>Minimum parking requirements reference levels in the <i>ITE Transportation Planning Handbook</i>.</li> <li>Option for No New Parking omitted.</li> </ul>
Credit	Green Vehicles	<ul style="list-style-type: none"> <li>Credit title renamed from "Alternative Transportation—Low-Emitting and Fuel-Efficient Vehicles".</li> <li>3% of parking spaces must be reserved for green vehicles.</li> <li>An additional 2% of parking spaces must have refueling stations – electric vehicle charging or liquid, gas, or battery facilities.</li> <li>Revised Schools requirements for buses and on-site vehicles</li> <li>Warehouse and Distribution Centers requirement added for on-site vehicles and anti-idling measures.</li> </ul>
Credit	Alternative Transportation	<ul style="list-style-type: none"> <li>Removed this previously Retail-specific credit and distributed its former options among the analogous D&amp;C rating systems</li> </ul>

SUSTAINABLE SITES		
Prerequisite	Construction Activity Pollution Prevention	<ul style="list-style-type: none"> <li>Updated the EPA Construction General Permit version from 2003 to 2010.</li> </ul>
Prerequisite	Environmental Site Assessment	<ul style="list-style-type: none"> <li>No substantive changes.</li> </ul>
Credit	Site Assessment	<ul style="list-style-type: none"> <li>New credit.</li> <li>Encourages early analysis of site conditions to inform design.</li> </ul>
Credit	Brownfield Remediation	<ul style="list-style-type: none"> <li>Moved requirements to Location and Transportation Credit: High Priority Site.</li> <li>Combined options.</li> </ul>
Credit	Site Development - Protect or Restore Habitat	<ul style="list-style-type: none"> <li>Replaced setback requirements with preservation standards.</li> <li>Added option for financial support of off-site preservation.</li> </ul>
Credit	Open Space	<ul style="list-style-type: none"> <li>Credit renamed from "Site Development – Maximize Open Space"</li> <li>Added qualification that open space must be of beneficial use to the occupants or community.</li> <li>Clarified turf grass requirements and vegetated roof requirements.</li> </ul>
Credit	Rainwater Management	<ul style="list-style-type: none"> <li>Credit is a combination of "Stormwater Design—Quality Control" and "Stormwater Design—Quantity Control".</li> <li>Includes site-specific criteria for more frequent, low-intensity events.</li> <li>Added option for zero lot line, urban projects.</li> </ul>
Credit	Heat Island Reduction	<ul style="list-style-type: none"> <li>Credit is a combination of "Heat Island Effect—Nonroof" and "Heat Island Effect—Roof".</li> <li>Updated the roof SRI requirements.</li> <li>Changed paving materials metric to Solar Reflectance (SR).</li> <li>Included 3-year aged SRI and SR values.</li> <li>Included weighted SRI average calculation methodology.</li> <li>Increased threshold for parking spaces under cover.</li> </ul>
Credit	Light Pollution Reduction	<ul style="list-style-type: none"> <li>Removed the interior lighting requirements which are now addressed in the EA prerequisite.</li> <li>Included the BUG rating methodology as a prescriptive way to meet the exterior lighting requirements.</li> <li>Added Lighting Zone 0.</li> <li>Included exterior signage requirements.</li> <li>Added exemptions from exterior lighting requirements.</li> </ul>
Credit	Site Master Plan (Schools)	<ul style="list-style-type: none"> <li>Clarified requirements for projects with no future planned development.</li> </ul>
Credit	Tenant Design and Construction Guidelines (Core and Shell)	<ul style="list-style-type: none"> <li>Added "Storage and Collection of Recyclables" to the list of prerequisites and credits.</li> </ul>
Credit	Places of Respite (Healthcare)	<ul style="list-style-type: none"> <li>No substantive changes.</li> <li>Credit titled renamed from "Connection to the Outside World—Places of Respite".</li> </ul>
Credit	Direct Exterior Access (Healthcare)	<ul style="list-style-type: none"> <li>No substantive changes.</li> <li>Credit title renamed from "Connection to the Outside World—Direct Exterior Access for Patients".</li> </ul>
Credit	Joint Use of Facilities (Schools)	<ul style="list-style-type: none"> <li>Removed the requirements for separate entries.</li> </ul>

WATER EFFICIENCY		
Prerequisite	Outdoor Water Use Reduction	<ul style="list-style-type: none"> <li>• New prerequisite.</li> <li>• Requires a reduction in landscape water use by 30% using EPA's WaterSense Water Budget Tool or no irrigation.</li> </ul>
Prerequisite	Indoor Water Use Reduction	<ul style="list-style-type: none"> <li>• Credit title renamed from "Water Use Reduction".</li> <li>• WaterSense label required for certain fixtures and fittings</li> <li>• Appliance and process water uses addressed.</li> <li>• Basic cooling tower requirements from ASHRAE 189 added.</li> <li>• Additional appliance and process water requirements for Retail, Schools, Healthcare and Hospitality only.</li> </ul>
Prerequisite	Minimum Potable Water Use for Medical Equipment Cooling (Healthcare)	<ul style="list-style-type: none"> <li>• Prerequisite removed.</li> </ul>
Prerequisite	Building-Level Water Metering	<ul style="list-style-type: none"> <li>• New prerequisite.</li> <li>• Requires each project to be capable of measuring whole building water use.</li> </ul>
Credit	Outdoor Water Use Reduction	<ul style="list-style-type: none"> <li>• Credit title renamed from "Water Efficient Landscaping".</li> <li>• Requires a reduction in landscape water use by at least 50% using EPA's WaterSense Water Budget Tool or no irrigation.</li> </ul>
Credit	Innovative Wastewater Technologies	<ul style="list-style-type: none"> <li>• Credit removed.</li> <li>• Will be tested in Pilot Credit Library with new nutrient recovery option.</li> </ul>
Credit	Indoor Water Use Reduction	<ul style="list-style-type: none"> <li>• Credit title renamed from "Water Use Reduction".</li> <li>• WaterSense label required for certain fixtures and fittings.</li> <li>• Added Appliance and Process Water requirements.</li> <li>• Added more thresholds for achievement.</li> </ul>
Credit	Cooling Tower Water Use	<ul style="list-style-type: none"> <li>• New credit.</li> <li>• Encourages projects to analyze water source and maximize water cycles.</li> </ul>
Credit	Water Metering	<ul style="list-style-type: none"> <li>• New credit.</li> <li>• Rewards projects for submetering at least two water end uses.</li> </ul>
ENERGY AND ATMOSPHERE		
Prerequisite	Fundamental Commissioning and Verification	<ul style="list-style-type: none"> <li>• Credit title renamed from "Fundamental Commissioning of Building Energy Systems".</li> <li>• Modified intent to ensure project meets the owner's projects requirements related to energy, water, indoor environmental quality and durability.</li> <li>• Added requirement for preparing an Operations and Maintenance Plan.</li> <li>• Added requirement to engage a Commissioning Authority by the end of the design development phase.</li> <li>• Clarified language for who can be the commissioning authority.</li> <li>• Included requirements for a design review of the enclosure.</li> </ul>
Prerequisite	Minimum Energy Performance	<ul style="list-style-type: none"> <li>• Updated referenced standard to ASHRAE 90.1-2010.</li> <li>• Added requirements for data centers.</li> <li>• Added retail-specific process load requirements</li> <li>• Updated Advanced Energy Design Guides prescriptive option to 50% AEDG for Office, Retail, Schools, and Healthcare.</li> <li>• Updated Core Performance Guide prescriptive option to meeting core requirements plus six additional strategies.</li> </ul>

Prerequisite	Building-Level Energy Metering	<ul style="list-style-type: none"> <li>• New prerequisite.</li> <li>• Requires each project to be capable of measuring whole building energy use.</li> </ul>
Prerequisite	Fundamental Refrigerant Management	<ul style="list-style-type: none"> <li>• No substantive changes.</li> </ul>
Credit	Enhanced Commissioning	<ul style="list-style-type: none"> <li>• Added options for monitoring based commissioning and envelope commissioning.</li> <li>• Added requirements to prepare the building operators for the intended operation of building systems</li> <li>• Clarified language for who can be the commissioning authority.</li> </ul>
Credit	Optimize Energy Performance	<ul style="list-style-type: none"> <li>• Updated referenced standard to ASHRAE 90.1-2010.</li> <li>• Added requirements for data centers.</li> <li>• Added retail-specific process load requirements</li> <li>• Updated Advanced Energy Design Guides prescriptive option to 50% AEDG for Office, Retail, Schools, and Healthcare.</li> <li>• Updated Core Performance Guide prescriptive option to meeting core requirements plus six additional strategies.</li> </ul>
Credit	Advanced Energy Metering	<ul style="list-style-type: none"> <li>• New credit.</li> <li>• Requires all energy end-uses that represent 10% or more of the total energy consumption of the building to be metered.</li> <li>• Meters must be connected to the building automation system and log data at appropriate intervals.</li> <li>• Core and Shell projects required to address future tenant spaces.</li> </ul>
Credit	Demand Response	<ul style="list-style-type: none"> <li>• New credit.</li> <li>• Encourages projects to design and install systems necessary to participate in a demand response program.</li> <li>• Also available to projects located in areas without demand response programs.</li> <li>• Added requirement to include demand response processes in the commissioning scope.</li> </ul>
Credit	Renewable Energy Production	<ul style="list-style-type: none"> <li>• Credit title renamed from “On-Site Renewable Energy”.</li> <li>• Added provision for community-scale renewable energy systems.</li> <li>• Points adjusted significantly.</li> </ul>
Credit	Enhanced Refrigerant Management	<ul style="list-style-type: none"> <li>• Added retail-specific requirements.</li> </ul>
Credit	Measurement and Verification	<ul style="list-style-type: none"> <li>• Credit removed.</li> <li>• Installation of measurement and verification infrastructure addressed in Building-Level Energy Metering prerequisite and Advanced Metering credit.</li> </ul>
Credit	Green Power and Carbon Offsets	<ul style="list-style-type: none"> <li>• Credit title renamed from “Green Power”.</li> <li>• Credit based on total building energy usage.</li> <li>• Carbon offsets allowed for scope 1 or 2 emissions</li> <li>• Required contract length extended from 2 years to 5 years.</li> <li>• Eligible resources must have come online after January 1, 2005.</li> </ul>
<b>MATERIALS AND RESOURCES</b>		
Prerequisite	Storage and Collection of Recyclables	<ul style="list-style-type: none"> <li>• Added requirement to address batteries, mercury containing lamps, or electronic waste.</li> <li>• Added retail requirement to identify top 4 waste streams to provide recycling collection and storage.</li> </ul>
Prerequisite	Construction and Demolition Waste Management Planning	<ul style="list-style-type: none"> <li>• New prerequisite.</li> <li>• Requires setting a project target for waste management.</li> <li>• Require reporting waste diversion rates.</li> </ul>

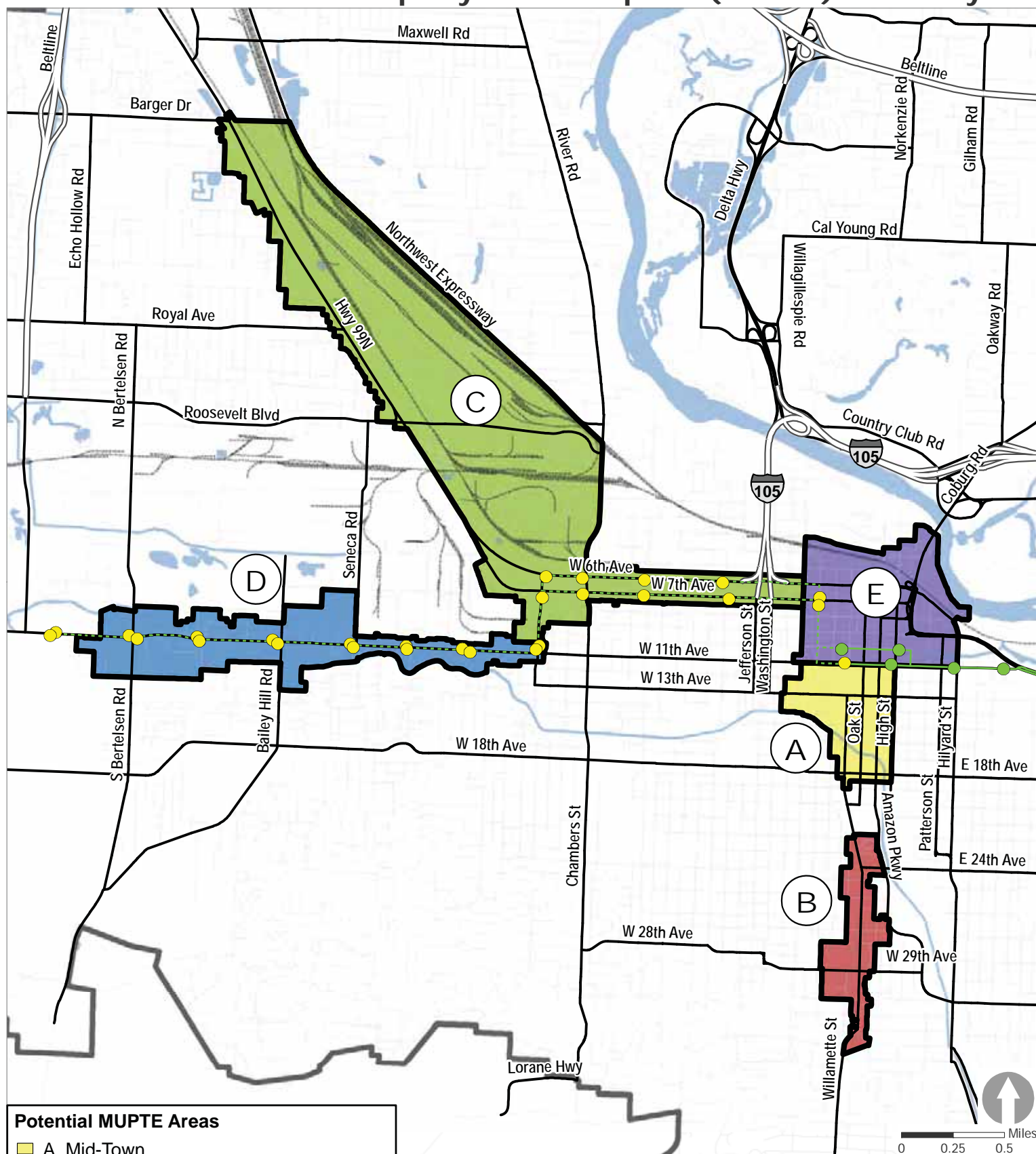
Prerequisite	PBT Source Reduction—Mercury	<ul style="list-style-type: none"> <li>No substantive changes.</li> </ul>
Credit	Building Reuse – Maintain Existing Walls, Floors, and Roof	<ul style="list-style-type: none"> <li>Credit requirements moved to “Building Life Cycle Impact Reduction” credit.</li> </ul>
Credit	Building Reuse – Maintain Interior Nonstructural Elements	<ul style="list-style-type: none"> <li>Credit requirements moved to “Building Life Cycle Impact Reduction” credit.</li> </ul>
Credit	Building Life Cycle Impact Reduction	<ul style="list-style-type: none"> <li>Credit is a combination of “Building Reuse—Maintain Existing Walls, Floors, and Roof” and “Building Reuse—Maintain Interior Nonstructural Elements”.</li> <li>Added options for the reuse of historic and blighted buildings.</li> <li>Added option for a whole building life-cycle assessment of the project’s structure and enclosure.</li> </ul>
Credit	Building Product Disclosure and Optimization—Environmental Product Declarations	<ul style="list-style-type: none"> <li>New credit.</li> <li>Addresses transparency in environmental life-cycle impacts and selecting products with improved life-cycles.</li> <li>Structured into disclosure and optimization options.</li> <li>Rewards the use of products with Environmental Product Declarations.</li> <li>Rewards products that meet the local products criteria.</li> </ul>
Credit	Materials Reuse	<ul style="list-style-type: none"> <li>Credit requirements moved to “Building Life Cycle Impact Reduction”.</li> </ul>
Credit	Recycled Content	<ul style="list-style-type: none"> <li>Credit requirements moved to “Building Product Disclosure and Optimization—Sourcing of Raw Materials.”</li> </ul>
Credit	Regional Materials	<ul style="list-style-type: none"> <li>Credit requirements moved to the “Building Product Disclosure and Optimization” credits.</li> </ul>
Credit	Rapidly Renewable Materials	<ul style="list-style-type: none"> <li>Credit removed. Rapidly renewable materials addressed by “Building Product Disclosure and Optimization—Sourcing of Raw Materials”.</li> </ul>
Credit	Certified Wood	<ul style="list-style-type: none"> <li>Credit requirements moved to “Building Product Disclosure and Optimization—Sourcing of Raw Materials”.</li> </ul>
Credit	Building Product Disclosure and Optimization—Sourcing of Raw Materials	<ul style="list-style-type: none"> <li>New credit.</li> <li>Addresses transparency in raw material sourcing and selecting materials that have been appropriately sourced.</li> <li>Restructured into disclosure and optimization sections.</li> <li>Rewards products from manufacturers that have provided information on land use practices, extraction locations, labor practices, etc.</li> <li>Rewards products that meet the local products criteria.</li> </ul>
Credit	Building Product Disclosure and Optimization—Material Ingredient Reporting	<ul style="list-style-type: none"> <li>New credit.</li> <li>Addresses transparency in material ingredients and selecting products with optimized ingredients.</li> <li>Structured into disclosure and optimization options.</li> <li>Rewards the use of products with ingredient reporting in programs like Health Product Declaration, Cradle 2 Cradle, and others.</li> <li>Rewards products that meet the local products criteria.</li> <li>Third option for supply chain optimization.</li> </ul>
Credit	PBT Source Reduction-Mercury (Healthcare)	<ul style="list-style-type: none"> <li>No substantive change.</li> <li>Credit title revised.</li> </ul>
Credit	PBT Source Reduction-Lead, Cadmium, Copper (Healthcare)	<ul style="list-style-type: none"> <li>No substantive change.</li> </ul>

Credit	Furniture and Medical Furnishings (Healthcare)	<ul style="list-style-type: none"> <li>Updated referenced standards in option 2.</li> <li>Updated the criteria for option 3.</li> </ul>
Credit	Resource Use-Design for Flexibility (Healthcare)	<ul style="list-style-type: none"> <li>Credit renamed to "Design for Flexibility".</li> <li>Credit language clarified.</li> </ul>
Credit	Construction and Demolition Waste Management	<ul style="list-style-type: none"> <li>Added an option for waste reduction strategy.</li> <li>Requires waste diversion from multiple material types.</li> <li>Alternative daily cover no longer counted as diverted waste.</li> </ul>
INDOOR ENVIRONMENTAL QUALITY		
Prerequisite	Minimum Indoor Air Quality Performance	<ul style="list-style-type: none"> <li>Added requirements for outside air delivery monitoring</li> <li>Added requirements for residential projects addressing combustion appliances, CO monitors, and radon.</li> </ul>
Prerequisite	Environmental Tobacco Smoke Control	<ul style="list-style-type: none"> <li>Removed allowance for designated smoking areas inside the building for all projects but residential.</li> <li>Reduced the maximum allowable leakage rate for compartmentalized residential units.</li> <li>Prohibited smoking on the entire site for Schools projects.</li> </ul>
Prerequisite	Minimum Acoustic Performance (Schools)	<ul style="list-style-type: none"> <li>Harmonized ANSI &amp; ASHARE standards.</li> <li>Added exterior noise control exceptions for projects located on quiet sites.</li> <li>Added exceptions for projects with limited renovation scopes or strict historic preservation requirements.</li> </ul>
Credit	Outdoor Air Delivery Monitoring	<ul style="list-style-type: none"> <li>Credit requirements moved to "Minimum Indoor Air Quality Performance" and "Enhanced Indoor Air Quality Strategies" credits.</li> </ul>
Credit	Increased Ventilation	<ul style="list-style-type: none"> <li>Credit requirements moved to "Enhanced Indoor Air Quality Strategies" credit.</li> </ul>
Credit	Enhanced Indoor Air Quality Strategies	<ul style="list-style-type: none"> <li>Credit is a combination of "Outdoor Air Delivery Monitoring", "Increased Ventilation", and "Indoor Chemical and Pollutant Source Control" credits.</li> <li>Added additional options for mathematical modeling, additional sensors, and mixed mode systems.</li> </ul>
Credit	Low-Emitting Materials	<ul style="list-style-type: none"> <li>Credit is a combination of the "Low-Emitting Materials" credits.</li> <li>Requirements based on VOC emissions rather than VOC content.</li> <li>Systems approach to emissions within a space.</li> <li>Added requirement for TVOC disclosure.</li> <li>Modified requirements for formaldehyde.</li> </ul>
Credit	Construction Indoor Air Quality Management Plan	<ul style="list-style-type: none"> <li>Credit title renamed from "Construction Indoor Air Quality Management Plan—During Construction".</li> <li>No substantive changes.</li> </ul>
Credit	Indoor Air Quality Assessment	<ul style="list-style-type: none"> <li>Credit title renamed from "Construction Indoor Air Quality Management Plan—Before Occupancy".</li> <li>Added a maximum temperature limit for flush outs.</li> <li>Expanded the list of contaminants for which to test under Option 2.</li> <li>Clarified that furniture must be installed.</li> </ul>
Credit	Indoor Chemical and Pollutant Source Control	<ul style="list-style-type: none"> <li>Credit requirements moved to "Enhanced Indoor Air Quality Strategies" credit.</li> </ul>
Credit	Controllability of Systems—Lighting	<ul style="list-style-type: none"> <li>Credit requirements moved to "Interior Lighting" credit.</li> </ul>
Credit	Thermal Comfort	<ul style="list-style-type: none"> <li>Credit title renamed from "Thermal Comfort—Design".</li> <li>Updated reference standard to ASHRAE 55-2010.</li> </ul>



		<ul style="list-style-type: none"> <li>• Credit removed from Core and Shell.</li> </ul>
Credit	Interior Lighting	<ul style="list-style-type: none"> <li>• New Credit.</li> <li>• Incorporates controls requirements from “Controllability of Systems—Lighting” credit.</li> <li>• Added an option that addresses lighting quality.</li> </ul>
Credit	Daylight	<ul style="list-style-type: none"> <li>• Credit title renamed from “Daylight and Views—Daylight”.</li> <li>• Removed prescriptive option.</li> <li>• Added option for spatial daylight autonomy.</li> <li>• Changed units from footcandles to lux.</li> <li>• Added a timing requirement to measurement option.</li> </ul>
Credit	Quality Views	<ul style="list-style-type: none"> <li>• Credit title renamed from “Daylight and Views—Views”.</li> <li>• Added requirement for quality view, defined by the LEED 2009 exemplary performance criteria.</li> <li>• Added provisions for interior atria.</li> </ul>
Credit	Acoustic Performance	<ul style="list-style-type: none"> <li>• New credit except in Schools and Healthcare.</li> <li>• Added requirements for room noise levels, speech privacy and sound isolation, reverberation time, and paging, masking, and sound reinforcement systems.</li> <li>• Harmonized ANSI and ASHRAE standards.</li> </ul>
Credit	Mold Prevention (Schools)	<ul style="list-style-type: none"> <li>• Credit requirements moved to “Thermal Comfort” credit.</li> </ul>

# Potential Multi-Unit Property Tax Exemption (MUPTE) Boundary



Caution: This map is based on imprecise source data, subject to change, and for general reference only.



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CLSP Public Workshop on Tuesday April 22, 2014

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## How can the communities of central Lane County reduce greenhouse gas emissions from transportation and improve quality of life?

The communities of central Lane County are examining how different transportation and land use choices might affect our future. The cities of Coburg, Eugene, Springfield, as well as Lane County, Lane Transit District, and the Lane Council of Governments are considering a range of transportation and land use policies through a process called "scenario planning." This process is looking at how to reduce greenhouse gas emissions while enhancing health, economic development, and equity in our communities.

Come to a public workshop to learn about the scenario planning process and provide input on what themes, policies, and actions should be considered.

**Tuesday, April 22<sup>nd</sup>**

4:00 to 7:00 pm

[Eugene Public Library](#)

100 W 10<sup>th</sup> Ave

Eugene, OR 97401

Community input is key to developing scenarios that reflect community values. The workshop will include a brief presentation, followed by questions and small group discussions.

More information about the project is available on the project website: [www.CLscenarioplanning.org](http://www.CLscenarioplanning.org). Please email questions to [questions@CLscenarioplanning.org](mailto:questions@CLscenarioplanning.org). *Please do not reply to this email. This email is sent from a send-only account.*

### Project background

In 2009, the Oregon Legislature passed the Jobs and Transportation Act (House Bill 2001). The Jobs and Transportation Act requires local governments to conduct scenario planning and cooperatively select a preferred scenario that accommodates planned growth while reducing passenger vehicle greenhouse gas emissions. The selected scenario will not bind our local governments or change existing plans or



SATURDAY

May 17, 2014

8:15AM-4:00PM

SPRINGFIELD HIGH SCHOOL  
875 7<sup>TH</sup> ST, SPRINGFIELD

**FREE EVENT!** CHILDCARE & LUNCH PROVIDED  
**¡EVENTO GRATUITO!** SERVICIO DE GUARDERÍA  
Y ALMUERZO INCLUIDO

Panel Discussion: The Current  
State of Immigrant Integration in  
Oregon and the Nation  
Plenary: Immigration Status and  
Citizenship Issues  
Workshops: Culture and the Arts •  
Work and Employment Rights • Law  
Enforcement • Education • Health Care

Presentación y Discusión: El  
estado actual de la integración de los  
inmigrantes en Oregon y en todo el país  
Sesión: Sobre el estatus de la  
inmigración  
Talleres: Arte y cultura • Derechos  
laborales y el trabajo • Fuerzas del orden  
público • Educación • Servicios de salud

**WHO WE ARE**

WE'RE A GROUP WHOSE MISSION IS TO CREATE A  
WELCOMING ENVIRONMENT THAT FOSTERS  
INTEGRATION AND WELL-BEING FOR ALL IMMIGRANTS

**¿QUIÉNES SOMOS?**

SOMOS UN GRUPO CUYA MISIÓN ES: FOMENTAR  
UN AMBIENTE DE BIENVENIDA, INTEGRACIÓN Y  
BIENESTAR PARA TODOS LOS INMIGRANTES

We thank the following organizations for their generous financial support:  
Agradecemos a las siguientes organizaciones por su generoso apoyo:



Eugene Human Rights Commission



Endorsers:

- ✦ Huerto de la Familia (The Family Garden)
- ✦ Pacific University College of Education, Eugene
- ✦ National Alliance on Mental Illness, Lane County
- ✦ First Congregational United Church of Christ, Eugene
- ✦ Grupo Latino de Accion Directa of Lane County
- ✦ League of United Latin American Citizens, Lane County
- ✦ Amigos Immigrant Rights Advocacy Program
- ✦ Lane Coalition for Healthy Active Youth

- ✦ Hands Helping Humanity International
- ✦ Community Alliance of Lane County
- ✦ FOOD for Lane County
- ✦ Beyond Toxics
- ✦ Migrant Education Program
- ✦ Eugene Mennonite Church
- ✦ Downtown Languages
- ✦ Eugene Arte Latino



For more information or to register: Jennifer Smith, 541-346-2782, [jsmith@uoregon.edu](mailto:jsmith@uoregon.edu)  
Para más información o para registrarse: Downtown Languages, 541-686-8483, [inquire@downtownlanguages.org](mailto:inquire@downtownlanguages.org)





*Growing Community  
Hand in Hand*

EUGENE • OREGON  
MAY 21-24



## 39th Annual Conference on Neighborhood Concerns at the Eugene Hilton

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EUGENE!*

Register at [www.eugene-or.gov/NUSA2014](http://www.eugene-or.gov/NUSA2014) by May 2!

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[www.eugene-cascadesandcoast.org](http://www.eugene-cascadesandcoast.org)

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The nearby **Valley River Inn** on the beautiful Willamette River is our overflow hotel. Book your room online at <http://tinyurl.com/NUSAVRI2014> or call the hotel at 1-800-543-8266 and let them know you're a NUSA conference delegate to receive the special rate.

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### Your registration fee includes:

#### Cutting Edge Keynote Speakers:

Inspiring, enlightening, thought-provoking...

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- **Jim Diers** - Building Communities [neighborpower.org](http://neighborpower.org)
- **Julian Agyeman** - Just Sustainabilities [julianagyeman.com](http://julianagyeman.com)

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- Creating Inclusive Communities
- Bring on the Fun! Parks/Art/Culture
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- Workshopping the Whiteaker
- Affordable Housing
- Homeless Services
- CoopTown USA
- Whilamut Passage
- Building Green
- Delta Ponds Restoration
- Community Food Security
- Eugene's Bike Infrastructure
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- Reduce, Re-use, Recycle
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For more information: [EugeneNUSA2014@ci.eugene.or.us](mailto:EugeneNUSA2014@ci.eugene.or.us)/541-682-6243